

# No. 16-1186

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

JAMES G. PAULSEN, Regional Director of Region 29 of the  
National Labor Relations Board, for and on behalf of the  
NATIONAL LABOR RELATIONS BOARD,

Petitioner-Appellant,

v.

CSC HOLDINGS, LLC and CABLEVISION SYSTEMS CORP.

Respondent-Appellee.

---

ON APPEAL FROM AN ORDER OF THE UNITED STATES  
DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

---

JOINT APPENDIX  
VOLUME III of V  
(Pages 552-799)

---

RICHARD F. GRIFFIN, JR.

General Counsel

JENNIFER ABRUZZO

Deputy General Counsel

BARRY J. KEARNEY

Associate General Counsel

JAYME L. SOPHIR

Deputy Associate General Counsel

ELINOR L. MERBERG

Assistant General Counsel

LAURA T. VAZQUEZ

Deputy Assistant General Counsel

JAMISON F. GRELLA

Attorney

NATIONAL LABOR RELATIONS BOARD

1015 Half Street, S.E.

Washington, D.C. 20570-0001

(202) 208-0009

**JOINT APPENDIX**  
**TABLE OF CONTENTS**

**Volume I**

District Court Docket Sheet .....	1
Petition for Injunction Under Section 10(j) (with attachments) .....	8
Order to Show Cause (dated 12/11/15).....	25
Petitioner’s Motion to Try Petition For Temporary Injunction under Section 10(j) of the NLRA on the Basis of the Administrative Record and Supplemental Affidavit.....	27
Exhibit B to Petition’s Motion – Affidavit of Zelig Stern.....	35
Exhibit A – The Administrative Record <sup>1</sup> .....	42

**Exhibit A – The Administrative Transcript**

Testimony of Dorothea Perry (alleged discriminatee) .....	50
Testimony of Nadine Gyles (former Cablevision employee) .....	88
Testimony of Dorothea Perry (alleged discriminatee) .....	94
Testimony of Zelig Stern (Union organizer).....	147
Testimony of Yvette Panno (Cablevision Regional HR Director).....	155
Testimony of Raniero Cecora (Cablevision supervisor).....	186
Testimony of Valmiki Mohip (former Cablevision supervisor) .....	188

---

<sup>1</sup> On May 5, 2016, pursuant to Federal Rules of Appellate Procedure, Rule 30 and Local Rule 30.1, the Director (through its counsel) sent joint appendix designations to the Company’s counsel. The Director designated approximately 468 pages of the 1,997 page administrative record in this case. On May 24, 2016, the Company (through its counsel) counter-designated the entirety of the 1,997 page administrative record for inclusion in the joint appendix.

Testimony of Anthony Maharaj (former Cablevision supervisor).....	198
Testimony of John Tucci (Cablevision Jericho Call Center Manager).....	203
Testimony of Chris Koyl (Cablevision E-discovery Manager) .....	262

## **Volume II**

### **Exhibit A – The Administrative Transcript (cont.)**

Testimony of Yvette Panno (Cablevision Regional HR Director).....	272
Testimony of Lisa Gillingham (Cablevision Senior Vice President).....	305
Testimony of Dorothea Perry (alleged discriminatee) .....	307
Testimony of Severo Mancebo (Cablevision Senior Recruiter) .....	309

### **Exhibit A – General Counsel’s Trial Exhibits**

General Counsel Exhibit 1(a) – (l) (Formal Administrative Documents).....	345
General Counsel Exhibit 2 (NLRB General Counsel’s Opposition to Postponement of Administrative Hearing & attachment) .....	379
General Counsel Exhibit 3 (Subpoena Duces Tecum to Custodian of Records, CSC Holdings, LLC and attachments).....	386
General Counsel Exhibit 4 (Second Subpoena Duces Tecum to Custodian of Records, CSC Holdings, LLC and attachments) .....	416
General Counsel Exhibit 5 (“Thank you” card from K. Dolan to D. Perry).....	431
General Counsel Exhibit 6 (2/28/12 E-mail From D. Perry to J.Dolan).....	434

**Volume II (cont.)**

General Counsel Exhibit 7 (2/28/12 E-mail confirming receipt of Perry's 2/28/12 E-mail) .....	437
General Counsel Exhibit 8 (5/11/15 E-mail from D. Perry to J. Dolan) .....	439
General Counsel Exhibit 9 (5/18/15 e-mail correspondence between D.Perry and Y.Panno) .....	444
General Counsel Exhibit 10 (D.Perry's notes from conversation with A.Maharaj) .....	447
General Counsel Exhibit 11 (5/25/15 E-mail D.Perry to Y. Panno) .....	449
General Counsel Exhibit 12 (6/3/15 D.Perry E-mail) .....	452
General Counsel Exhibit 13 (6/8/15 E-mail correspondence between D.Perry and J.Tucci) .....	454
General Counsel Exhibit 14 (6/8/15 E-mail correspondence between D.Perry and J.Tucci) .....	456
General Counsel Exhibit 15 (6/8/15 D.Perry termination letter) .....	461
General Counsel Exhibit 16 (6/10/15 Letter from L.Gillingham to D.Perry re: Severance Benefits) .....	469
General Counsel Exhibit 17 (6/8/15 E-mail from D.Perry to J.Dolan) .....	480
General Counsel Exhibit 18 (6/11/15 E-mail from P.Hilber to D.Perry) .....	486
General Counsel Exhibit 19 (6/16-6/17/15 E-mail correspondence between D.Perry and P.Hilber) .....	489
General Counsel Exhibit 20 (5/11/15 E-mail from P.Hilber to D.Panno) .....	492



**Volume II (cont.)**

General Counsel Exhibit 21 (5/11/15 E-mail Y.Panno to F.Prochazka) .....	498
General Counsel Exhibit 22 (5/11/15 E-mail F.Prochazka to Y.Panno).....	500
General Counsel Exhibit 23 (5/11/15 E-mail Y.Panno to J.Tucci).....	502
General Counsel Exhibit 24 (5/11/15 E-mail G.Vega to Y.Panno).....	504
General Counsel Exhibit 25 (5/11/15 E-mail G.Vega to M.Lopera).....	506
General Counsel Exhibit 26 (5/11/15 E-mail Y.Panno to J.Tucci).....	514
General Counsel Exhibit 27 (5/11/15 E-mail F.Prochazka to Y.Panno) .....	516
General Counsel Exhibit 28 (5/11/15 E-mail S.Lalena to Y.Panno) .....	518
General Counsel Exhibit 29 (5/12/15 E-mail P.Hilber to A.Montazem).....	522
General Counsel Exhibit 30 (5/12/15 E-mail Y.Panno to F.Prochazka) .....	524
General Counsel Exhibit 31 (5/12/15 E-mail A.Montazem to P.Hilber and Y.Panno).....	526
General Counsel Exhibit 32 (5/12/15 E-mail A.Montazem to P.Hilber).....	529
General Counsel Exhibit 33 (5/12/15 E-mails A.Montazem between P.Hilber).....	531
General Counsel Exhibit 34 (5/12/15 E-mail Y.Panno to J.Tucci).....	534

General Counsel Exhibit 35 (5/18/15 E-mails between Y.Panno and G.Vega) .....	536
General Counsel Exhibit 36 (5/27/15 E-mails between Y.Panno and F.Prochazka).....	538
General Counsel Exhibit 37 (5/27/15 E-mails between D.Donovan-Santiago and Y.Panno).....	541
General Counsel Exhibit 38 (6/2/15 E-mails between D.Perry and Y.Panno) .....	545
General Counsel Exhibit 39 (6/3 – 6/4/15 E-mails between H.McBride and Y.Panno) .....	547
General Counsel Exhibit 40 (5/14/15 E-mails between Y.Panno, G.Vega, V.Mohip, and D. Perry) .....	549

### **Volume III**

#### **Exhibit A – General Counsel’s Trial Exhibits (cont.)**

General Counsel Exhibit 41 (D.Perry 2014 Annual Appraisal).....	552
General Counsel Exhibit 42 (A.Mitchell 2014 Annual Appraisal).....	558
General Counsel Exhibit 43 (J.Castro 2014 Annual Appraisal) .....	564
General Counsel Exhibit 44 (R.Williams 2014 Annual Appraisal).....	570
General Counsel Exhibit 45 (List of prior terminations) .....	577
General Counsel Exhibit 46 (Cablevision Answer to amended administrative complaint) .....	579
General Counsel Exhibit 47 (5/20/15 E-mail G.Vega to Y.Panno) .....	584

**Volume III (cont.)**

General Counsel Exhibit 48 (6/9/15 E-mail re: May 2015 VoC Recognition) .....	586
General Counsel Exhibit 49 (A.Maharaj text messages) .....	589
General Counsel Exhibit 50 (5/26/15 Action Place for employee Mittal).....	594
General Counsel Exhibit 51 (6/1/15 Y.Panno E-mails discussing timing of D.Perry termination) .....	597
General Counsel Exhibit 52 (Employee K.A. Action Plans).....	600
General Counsel Exhibit 53 (Employee J.A. Action Plans) .....	613
General Counsel Exhibit 54 (Employee N.D. disciplinary records).....	629
General Counsel Exhibit 55 (Employee M.H. Action Plans) .....	634
General Counsel Exhibit 56 (Employee R.P. disciplinary records and Action Plans) .....	642
General Counsel Exhibit 57 (Employee K.Q. Action Plans).....	647
General Counsel Exhibit 58 (Employee M.V. Action Plans) .....	658
General Counsel Exhibit 59 (Employee J.W. Action Plans and disciplinary records).....	670
General Counsel Exhibit 60 (5/21/15 E-mail from V.Mohip to G.Vega re: D.Perry).....	674
General Counsel Exhibit 61 (5/15/15 E-mails between Y.Panno and J.Tucci) .....	676

**Volume III (cont.)**

General Counsel Exhibit 62 (5/12/15 E-mails between M.Lopera and G.Vega) .....	678
General Counsel Exhibit 63 (E-mails from 5/12/15 and 6/8/15 re: D.Perry) .....	680
General Counsel Exhibit 64 (5/19/15 E-mails between F. Prochazka and S.Capel) .....	683
General Counsel Exhibit 65 (10/31/03 NY Supreme Court Order re: D.Perry termination suit) .....	685
General Counsel Exhibit 66 (D.Perry Worker's Comp. Claims against Cablevision) .....	692

**Exhibit A – Respondent's Trial Exhibits**

Respondent Exhibit 1 (10/22/02 Letter from Collegis to D.Perry).....	702
Respondent Exhibit 2 (2003 Litigation documents from Perry v. Collegis) .....	704
Respondent Exhibit 3 (7/27/04 D.Perry Cablevision job application).....	729
Respondent Exhibit 4 (10/16/08 D.Perry counseling re: attendance) .....	734
Respondent Exhibit 5 (2/23/09 D.Perry performance improvement plan) .....	736
Respondent Exhibit 6 (5/4/09 D.Perry PIP extension).....	740
Respondent Exhibit 7 (7/1/09 D.Perry written reprimand – attendance).....	743
Respondent Exhibit 8 (3/18/10 D.Perry final written warning).....	746

**Volume III (cont.)**

Respondent Exhibit 9 (3/24/2010 D.Perry E-mail to managers re: discipline) .....	748
Respondent Exhibit 10 (Second 3/24/2010 D.Perry E-mail to managers re: discipline) .....	754
Respondent Exhibit 11 (6/08/10 D.Perry Performance counseling).....	756
Respondent Exhibit 12 (3/10/11 D.Perry performance warning) .....	758
Respondent Exhibit 13 (3/5/12 T.Kniss E-mail exchange with D.Perry).....	761
Respondent Exhibit 14 (2010–2011 documents related to D.Perry discrimination claims).....	766
Respondent Exhibit 15 (D.Perry 2011 performance appraisal) .....	793

**Volume IV**

**Exhibit A – Respondent’s Trial Exhibits (cont.)**

Respondent Exhibit 19 (Cablevision employee handbook) .....	800
Respondent Exhibit 18 (4/30/15 E-mails Between D.Perry and HR re: ADA accommodation) .....	850
Respondent Exhibit 17 (D.Perry 2013 performance appraisal) .....	853
Respondent Exhibit 16 (D.Perry 2012 performance appraisal) .....	861
Respondent Exhibit 20 (6/2012 E-mails between D.Perry and P.Hall re: employee rewards) .....	872

**Volume IV (cont.)**

Respondent Exhibit 21 (2013/2014 E-mails re: D.Perry eligibility for alternative holiday days) .....	879
Respondent Exhibit 22 (4/28/15 E-mails between D.Perry and C.Smith).....	883
Respondent Exhibit 23 (1/2015 Cablevision pamphlet re: new performance standards) .....	886
Respondent Exhibit 24 (3/12/15 NPS “Dos and Don’ts” Powerpoint).....	908
Respondent Exhibit 25 (3/23/15 E-mail from V.Mohip re: NPS educational session) .....	917
Respondent Exhibit 26 (4/1/15 E-mail concerning VoC “tips”).....	920
Respondent Exhibit 27 (4/3/15 M.Lopera E-mail concerning NPS) .....	925
Respondent Exhibit 28 (4/8/15 E-mail to employees about accessing NPS scores) .....	931
Respondent Exhibit 29 (4/27/15 E-mail to employees with NPS information).....	936
Respondent Exhibit 30 (5/13/15 E-mail from D.Perry to V.Mohip re: goals) .....	945
Respondent Exhibit 31 (6/9/15 E-mails between Z.Stern and D.Perry) .....	947
Respondent Exhibit 32 (6/1/15 E-mail from Z.Stern to several employees).....	950
Respondent Exhibit 33 (Blank VoC survey).....	952
Respondent Exhibit 34 (Cablevision customer experience flyer).....	957

**Volume IV (cont.)**

Respondent Exhibit 35 (1/12/14 Letter from R. Comstock to employees concerning NPS) .....	959
Respondent Exhibit 36 (2/3/15 E-mail to employees concerning VoC-NPS).....	961
Respondent Exhibit 37 (4/23/15 E-mail re: Focus Groups).....	964
Respondent Exhibit 38 (6/8/15 log of trainings completed by D.Perry) .....	966
Respondent Exhibit 39 (5/12/15 Outlier Report generated for D.Perry) .....	969
Respondent Exhibit 40 (5/15/15 E-mail from J.Tucci to F.Prochazka re: D.Perry) .....	973
Respondent Exhibit 41 (Coaching Notes for D.Perry 1/20155/2015) .....	977
Respondent Exhibit 42 (Undated handwritten note).....	1005
Respondent Exhibit 43 (Screen Capture of D.Perry E-mail Sent folder) .....	1007
Respondent Exhibit 44 (Screen Capture of D.Perry E-mail Sent folder) .....	1009
Respondent Exhibit 45 (Screen Capture of D.Perry E-mail Sent folder) .....	1011
Respondent Exhibit 46 (5/18/15 E-mail from G.Vega to Y.Panno re: D.Perry) .....	1014
Respondent Exhibit 47 (5/31/15 E-mail from G.Vega to F.Prochazka re: D.Perry) .....	1017
Respondent Exhibit 48 (5/20/15 E-mail to employees concerning Genesys FAQs) .....	1019

**Volume IV (cont.)**

Respondent Exhibit 49 (6/2/15 L. Gillingham and Y.Panno E-mails re: terminating D.Perry) .....	1023
Respondent Exhibit 50 (12/23/09 E-mail from Y.Panno concerning employee T.P. termination for falsification for undisclosed criminal convictions) .....	1025
Respondent Exhibit 51 (12/12/13 E-mail from L.Donnely concerning employee B.M. termination for falsification for undisclosed criminal convictions) .....	1032
Respondent Exhibit 52 (2/10/15 E-mail from Y.Panno concerning employee T.P. termination for falsification for undisclosed criminal convictions) .....	1035

**Volume V**

**Exhibit A – Respondent’s Trial Exhibits (cont.)**

Respondent Exhibit 53 (5/6/2004 Affidavit of D.Perry re: Perry v. Collegis) .....	1038
Respondent Exhibit 54 (8/20/15 E-mail from N.Gyles to F.Prochazka) .....	1095
Respondent Exhibit 55 (undated letter without identifying information concerning N.Gyles’ termination) .....	1097
Respondent Exhibit 56 (7/17/04 E-mail between D.Perry and S.Mancebo) .....	1099
Respondent Exhibit 57 (7/20/2004 pre-employment screening for D.Perry) .....	1101
Respondent Exhibit 58 (Google Screen Shot) .....	1105
Respondent Exhibit 59 (Website Screen Shot) .....	1108



**Volume V (cont.)**

Respondent Exhibit 60 (Yazzy website Screen Shots) .....	1110
Respondent Exhibit 61 (Android Tips Website Screen Shot).....	1116
Respondent Exhibit 62 (Itunes App Store Screen Shot) .....	1123

**Exhibit A – Charging Party’s Trial Exhibit**

Charging Party Exhibit 1 .....	1128
Declaration of Kenneth A. Margolis (dated 1/11/16) and attachments .....	1129
Declaration of Robert Comstock (dated 1/11/16) and attachments.....	1173
Notice of Appeal .....	1262

# **Exhibit A10**

## **GC-41**



Preparing Cablevisionaries for what's next

## 2014 Year End Review

Review Period 1/1/2014 - 12/31/2014



### REVIEWER

Valmiki Mohip (Manager), Gilbert Vega (Manager - Co-Planner)



Dorothea Perry

Rep II - Tech Support  
Position Number

Cable Operations  
Business Unit

TSG Level 2 - Jericho  
Department

Rep II - Tech Support  
Position Title

Exh. No. BC41 Received ☒ Rejected ☐  
Case No.: 05C-100118-5  
Case Name: BC41  
No. Pgs: 10/11/15 Date: 10/11/15 Rep.: BC

BC41



Preparing Cablevisionaries for what's next

## Goal Rating

**Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Resolve customer's issue the first time, ensure no Repeats**

- First Call Resolution Rate = % of callers not calling for similar issue within 24 hours  
 (Valuable Contributor performance = 91%)
- Quality Rating = Average Score of Internal Quality Assessment  
 (Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b> 0%
<b>Visibility</b> Yes		

<b>Reviewer</b> Gilbert Vega (Manager - Co-Planner)	<b>Rating</b> Strong Performance
--	-------------------------------------

### Comments

Valmiki Mohip (Manager):  
 First Call Resolution Rate = 93.7%  
 Quality Rating = 85.0%

**Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Seek opportunities to educate/empower customers to utilize self service and alternate contact channels, through increasing personal usage of proactive email tool**

- Quality Rating = Average Score of Internal Quality Assessment  
 (Valuable Contributor performance = 80%)

<b>Start Date</b> 12/30/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b> 0%
<b>Visibility</b> Yes		

<b>Reviewer</b> Gilbert Vega (Manager - Co-Planner)	<b>Rating</b> Strong Performance
--	-------------------------------------

### Comments

Valmiki Mohip (Manager):  
 Quality Rating = 85.0%



Preparing Cablevisionaries for what's next

**Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Seek opportunities to educate/empower customers to utilize self service and alternate contact channels, through increasing personal usage of proactive email tool**

- Quality Rating = Average Score of Internal Quality Assessment  
(Valuable Contributor performance = 80%)

**Start Date**  
1/1/2014

**Due Date**  
12/31/2014

**Progress**

0%

**Visibility**  
Yes

Reviewer	Rating
Gilbert Vega (Manager - Co-Planner)	Strong Performance

Comments
Valmiki Mohip (Manager): Duplicate

**Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Actively engage in all communication activities, meetings, focus groups, training sessions and ones on ones; Deliver excellent service in every customer contact; Always make the customer feel valued throughout the interaction, acknowledge and address their needs**

- Service Experience Rating – Post Call Survey results multiplied by Transfer Rate  
(Valuable Contributor performance = 78%)
- Quality Rating – Internal Quality Assessment  
(Valuable Contributor performance = 80%)

**Start Date**  
1/1/2014

**Due Date**  
12/31/2014

**Progress**

0%

**Visibility**  
Yes

Reviewer	Rating
Gilbert Vega (Manager - Co-Planner)	Valuable Contribution

Comments
Valmiki Mohip (Manager): Service Experience Rating= 81.3% Quality Rating = 85.0%

**Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Handle all call you are trained for without a transfer; Complete all customer transactions with a high degree of accuracy**



Preparing Cablevisionaries for what's next

- Knowledge Check results (monthly assessment) – Annual Average Score  
(Valuable Contributor performance = Average Score of 85%)
- Quality Rating – Internal Quality Assessment  
(Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b> 0%
<b>Visibility</b> Yes		

Reviewer	Rating
Gilbert Vega (Manager - Co-Planner)	Strong Performance

**Comments**

Valmiki Mohip (Manager):  
Knowledge Check results = 97.5%  
Quality Rating = 85.0%

## Behaviors Rating

### [Contact Center] Accountability: Cablevisionaries take ownership and deliver results.

Shows strong commitment to achieving results and pursuing excellence. Identifies what needs to be done and does it well. Collaborates with peers, providing assistance and coaching where needed; Looks to continually develop self. Works until tasks are successfully completed. When faced with obstacles, pursues options and escalates to management with ideas for solutions, and sees resolution through to completion. Treats job as if a business owner.

Reviewer	Rating
Gilbert Vega (Manager - Co-Planner)	Valuable Contribution

**Comments**

Valmiki Mohip (Manager):  
Dorothea does a good job at taking ownership of the calls that she handles on a daily basis. Using the skill sets from her training she is able to be accomplish her job in the manner that the department expects. Dorothea shows a strong commitment to achieving results and pursuing excellence. She has the ability to do what needs to be done on the calls handled. Dorothea continues to use constructive feedback to better herself.

### [Contact Center] Customer-Focus: Cablevisionaries know the customer is at the heart of everything we do.

Identifies customer expectations and asks questions to ensure accurate identification of customer needs and relentless pursuit of an excellent customer experience. Listens carefully and demonstrates caring/empathy Conveys commitment to solving the problem. Anticipates customers' needs, identifies barriers, and escalates to resolution.



Preparing Cablevisionaries for what's next

#### Reviewer

#### Rating

Gilbert Vega (Manager - Co-Planner)

Valuable Contribution

#### Comments

**Valmiki Mohip (Manager):**

Dorothea listens well and understands the needs of our customers. She is able to respond effectively and communicate appropriately to his customers. She provides the customer with steps on how they may resolve the issue at hand in the future themselves without calling back. Dorothea understands that the customer is the main focus of what she does and must strive to make our customers happy.

**[Contact Center] Integrity: Cablevisionaries live the values that make our company a great place to work.**

is honest and direct in dealing with people. Acts consistently with Cablevision values, stated policies, and practices. Does not cover up problems or blame others for mistakes. Calls problems out If you see something, say something. Does not disclose confidential information. Says what s/he will do and does what s/he says. Does the right thing even when in conflict with own self interest.

#### Reviewer

#### Rating

Gilbert Vega (Manager - Co-Planner)

Valuable Contribution

#### Comments

**Valmiki Mohip (Manager):**

Dorothea is honest and direct with the customer acting within Cablevision's values as stated in the policies and handbook. She guards the customer's private information making use of the CPNI process put in place by the company. She uses feedback given to advance overall knowledge to the benefit of our customers and to the department.

### Year End Review

After evaluating performance on goals and demonstration level of behaviors, the comments box below allows you to provide feedback on the overall performance for the year.

#### Reviewer

#### Rating

Gilbert Vega (Manager - Co-Planner)

Valuable Contribution

#### Comments

**Valmiki Mohip (Manager):**

Dorothea has had a good year and has been a valuable contributor. She demonstrates a firm grasp of the requirements of her job and strives for ways to improve her performance and be more productive. She possesses the capability to convey her message in a positive and reassuring manner. She assists our customers with explaining each step taken by using her technical ability. She diligently works toward correcting and improving in those areas where she needs help.

# **Exhibit A10**

## **GC-42**





Preparing Cablevisionaries for what's next

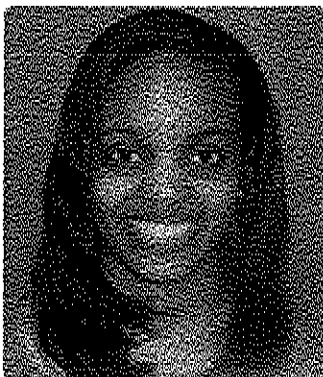
## 2014 Year End Review

Review Period 1/1/2014 - 12/31/2014



### REVIEWER

Jason Cox (Manager), Gilbert Vega (Manager - Co-Planner), Valmiki Mohip (Manager - Co-Planner)



### Ashlee Mitchell

Rep I - Tech Support  
Position Number

Cable Operations  
Business Unit

TSG Level 2 - Jericho  
Department

Rep I - Tech Support  
Position Title

Exh. No. BL42 Received ✓ Rejected \_\_\_\_\_

Case No.: \_\_\_\_\_

Case Name: CSC

No. Pgs: \_\_\_\_\_ Date: 1/1/15 Rep.: BA

BL42

## Goal Rating

### Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Resolve customer's issue the first time, ensure no Repeats

- First Call Resolution Rate = % of callers not calling for similar issue within 24 hours  
 (Valuable Contributor performance = 91%)
- Quality Rating = Average Score of Internal Quality Assessment  
 (Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b> <div style="width: 0%;"></div>	<b>0%</b>
<b>Visibility</b> Yes			

<b>Reviewer</b>	<b>Rating</b>
Gilbert Vega (Manager - Co-Planner)	Requires Improvement

**Comments**

Valmiki Mohip (Manager - Co-Planner):  
 First Resolution Rate = 90.7%Call  
 Quality Rating = 84.9%

### Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Seek opportunities to educate/empower customers to utilize self service and alternate contact channels, through increasing personal usage of proactive email tool

- Quality Rating = Average Score of Internal Quality Assessment  
 (Valuable Contributor performance = 80%)

<b>Start Date</b> 12/30/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b> <div style="width: 0%;"></div>	<b>0%</b>
<b>Visibility</b> Yes			

<b>Reviewer</b>	<b>Rating</b>
Gilbert Vega (Manager - Co-Planner)	Strong Performance

**Comments**

Valmiki Mohip (Manager - Co-Planner):  
 Quality Rating = 84.9%

## Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Seek opportunities to educate/empower customers to utilize self service and alternate contact channels, through increasing personal usage of proactive email tool

- Quality Rating = Average Score of Internal Quality Assessment  
 (Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b> <div style="width: 0%; height: 10px; background: linear-gradient(to right, #ccc, #ccc);"></div> 0%
<b>Visibility</b> Yes		

Reviewer	Rating
Gilbert Vega (Manager - Co-Planner)	Strong Performance

Comments
Valmiki Mohip (Manager - Co-Planner): Duplicate

## Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Actively engage in all communication activities, meetings, focus groups, training sessions and ones on ones; Deliver excellent service in every customer contact; Always make the customer feel valued throughout the interaction, acknowledge and address their needs

- Service Experience Rating – Post Call Survey results multiplied by Transfer Rate  
 (Valuable Contributor performance = 78%)
- Quality Rating – Internal Quality Assessment  
 (Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b> <div style="width: 0%; height: 10px; background: linear-gradient(to right, #ccc, #ccc);"></div> 0%
<b>Visibility</b> Yes		

Reviewer	Rating
Gilbert Vega (Manager - Co-Planner)	Strong Performance

Comments
Valmiki Mohip (Manager - Co-Planner): Service Experience Rating = 88.7% Quality Rating = 84.9%

## Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Handle all call you are trained for without a transfer; Complete all customer transactions with a high degree of accuracy



- Knowledge Check results (monthly assessment) – Annual Average Score  
(Valuable Contributor performance = Average Score of 85%)
- Quality Rating – Internal Quality Assessment  
(Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b> 0%
<b>Visibility</b> Yes		

Reviewer	Rating
Gilbert Vega (Manager - Co-Planner)	Strong Performance

Comments
Valmiki Mohip (Manager - Co-Planner): Knowledge Check results = 99.2% Quality Rating = 84.9%

## Behaviors Rating

### [Contact Center] Accountability: Cablevisionaries take ownership and deliver results.

Shows strong commitment to achieving results and pursuing excellence. Identifies what needs to be done and does it well. Collaborates with peers, providing assistance and coaching where needed; Looks to continually develop self. Works until tasks are successfully completed. When faced with obstacles, pursues options and escalates to management with ideas for solutions, and sees resolution through to completion. Treats job as if a business owner.

Reviewer	Rating
Gilbert Vega (Manager - Co-Planner)	Valuable Contribution

Comments
Valmiki Mohip (Manager - Co-Planner): Ashlee has not been working a lot due to medical issues. This has not prevented her from handling our customers with the utmost care when she is here. She take that extra time to make sure that all the details and follow up work are completed. She is able to demonstrate a firm grasp of the requirements of his job and constantly strives for ways to improve her performance and be more productive. Ashlee has struggled with keeping up with policy changes and processes because of her time off.

### [Contact Center] Customer-Focus: Cablevisionaries know the customer is at the heart of everything we do.

Identifies customer expectations and asks questions to ensure accurate identification of customer needs and relentless pursuit of an excellent customer experience. Listens carefully and demonstrates caring/empathy Conveys commitment to solving the problem. Anticipates customers' needs, identifies barriers, and escalates to resolution.

Reviewer	Rating
Gilbert Vega (Manager - Co-Planner)	Valuable Contribution

#### Comments

**Valmiki Mohip (Manager - Co-Planner):**  
Ashlee makes every effort to do her best on each customer contact. She is dedicated and keeps the customer experience in mind for each contact. Customers love her as shown by her commendations. She is able to provide the customer with a good experience throughout the call because of her great personality.

**[Contact Center] Integrity: Cablevisionaries live the values that make our company a great place to work.**

Is honest and direct in dealing with people. Acts consistently with Cablevision values, stated policies, and practices. Does not cover up problems or blame others for mistakes. Calls problems out if you see something, say something. Does not disclose confidential information. Says what s/he will do and does what s/he says. Does the right thing even when in conflict with own self interest.

Reviewer	Rating
Gilbert Vega (Manager - Co-Planner)	Valuable Contribution

#### Comments

**Valmiki Mohip (Manager - Co-Planner):**  
Ashlee understands and upholds the company's values. She acts honestly and ethically on the job and does the right thing. She learns from her errors and uses feedback from her supervisor to better herself.

### Year End Review

**After evaluating performance on goals and demonstration level of behaviors, the comments box below allows you to provide feedback on the overall performance for the year.**

Reviewer	Rating
Gilbert Vega (Manager - Co-Planner)	Valuable Contribution

#### Comments

**Valmiki Mohip (Manager - Co-Planner):**  
Ashlee continues to be a valued member of the team. She has had a good year and has been a valuable contributor. She is able to demonstrate a firm grasp of the requirements of her job and constantly strives for ways to improve her performance and be more productive. Her calm, empathetic attitude affords him the ability to convey her message in a positive and reassuring manner. She has been committed to meeting her goals over the past year.

### Acknowledgement

**In the comments area below, you can share feedback about your Year-End Review.**

# **Exhibit A10**

## **GC-43**



Preparing Cablevisionaries for what's next

## 2014 Year End Review

Review Period 1/1/2014 - 12/31/2014



### REVIEWER

Nereo Diaz (Manager), Mavis Roberts (Manager - Co-Planner)



Joshua Castro

Rep I - Tech Support  
Position Number

Cable Operations  
Business Unit

Phone Ops-NYC  
Department

Rep I - Tech Support  
Position Title

Exh. No: CL43 Received ☒ Rejected ☐  
Case No.: \_\_\_\_\_  
Case Name: CSC  
No. Pgs: \_\_\_\_\_ Date: 10/1/15 Rep.: KS

CL43



## Goal Rating

### Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Resolve customer's issue the first time, ensure no Repeats

- First Call Resolution Rate = % of callers not calling for similar issue within 24 hours  
 (Valuable Contributor performance = 91%)
- Quality Rating = Average Score of Internal Quality Assessment  
 (Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b>  0%
<b>Visibility</b> Yes		

Reviewer	Rating
Joshua Castro (Self)	Requires Improvement
Nereo Diaz (Manager)	Strong Performance

**Comments**

Nereo Diaz (Manager):  
 Johua has shown great consistency with his ability to communicate with his customers. He has communicated technical information in an understandable way.

### Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Seek opportunities to educate/empower customers to utilize self service and alternate contact channels, through increasing personal usage of proactive email tool

- Quality Rating = Average Score of Internal Quality Assessment  
 (Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b>  0%
<b>Visibility</b> Yes		

Reviewer	Rating
Joshua Castro (Self)	Valuable Contribution
Nereo Diaz (Manager)	Valuable Contribution

**Comments**

Nereo Diaz (Manager):  
 Johua demonstrates appropriate attention to his customers and does a good job of acknowledging their concerns. He will



escalate issues if needed to ensure that his customers needs are met.

**Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Actively engage in all communication activities, meetings, focus groups, training sessions and ones on ones; Deliver excellent service in every customer contact; Always make the customer feel valued throughout the interaction, acknowledge and address their needs**

- Service Experience Rating – Post Call Survey results multiplied by Transfer Rate  
(Valuable Contributor performance = 78%)
- Quality Rating – Internal Quality Assessment  
(Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b> <div style="width: 0%; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, #ccc 2px, #ccc 4px);"></div>	<b>0%</b>
<b>Visibility</b> Yes			

Reviewer	Rating
Joshua Castro (Self)	Requires Improvement
Mavis Roberts (Manager - Co-Planner)	Strong Performance

**Comments**

**Nereo Diaz (Manager):**  
Joshua exceeded expectations by remembering to close his calls properly, relating to our customer's, and providing genuine assurance on every call.

**Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Handle all call you are trained for without a transfer; Complete all customer transactions with a high degree of accuracy**

- Knowledge Check results (monthly assessment) – Annual Average Score  
(Valuable Contributor performance = Average Score of 85%)
- Quality Rating – Internal Quality Assessment  
(Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b> <div style="width: 0%; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, #ccc 2px, #ccc 4px);"></div>	<b>0%</b>
<b>Visibility</b> Yes			

Reviewer	Rating
Joshua Castro (Self)	Valuable Contribution
Nereo Diaz (Manager)	Valuable Contribution

**Comments**

**Nereo Diaz (Manager):**

Joshua has passed his knowledge check expectations during the performance review. He utilizes this knowledge when assisting our customers and understands how to use his resources effectively.

## Behaviors Rating

### [Contact Center] Accountability: Cablevisionaries take ownership and deliver results.

Shows strong commitment to achieving results and pursuing excellence. Identifies what needs to be done and does it well. Collaborates with peers, providing assistance and coaching where needed; Looks to continually develop self. Works until tasks are successfully completed. When faced with obstacles, pursues options and escalates to management with ideas for solutions, and sees resolution through to completion. Treats job as if a business owner.

Reviewer	Rating
Joshua Castro (Self)	Requires Improvement
Nereo Diaz (Manager)	Requires Improvement

#### Comments

**Nereo Diaz (Manager):**

Part of being an effective team member entails being present and showing dependability. Not being present as scheduled impacts the team and other co-workers negatively by increasing their workload due to higher call volumes. During this review period Joshua received a final warning for attendance. Joshua's accountability requires improvement as does his ability to manage the use of his time effectively and plan in advance as much as possible in order to be here when expected in a consistent basis.

### [Contact Center] Customer-Focus: Cablevisionaries know the customer is at the heart of everything we do.

Identifies customer expectations and asks questions to ensure accurate identification of customer needs and relentless pursuit of an excellent customer experience. Listens carefully and demonstrates caring/empathy Conveys commitment to solving the problem. Anticipates customers' needs, identifies barriers, and escalates to resolution.

Reviewer	Rating
Joshua Castro (Self)	Requires Improvement
Nereo Diaz (Manager)	Valuable Contribution

#### Comments

**Nereo Diaz (Manager):**

Joshua displays commitment to the goals of the organization, continuously seeks to enhance his skills and welcomes procedural changes with a can-do attitude.

### [Contact Center] Integrity: Cablevisionaries live the values that make our company a great place to work.

Is honest and direct in dealing with people. Acts consistently with Cablevision values, stated policies, and practices. Does not

cover up problems or blame others for mistakes. Calls problems out If you see something, say something. Does not disclose confidential information. Says what s/he will do and does what s/he says. Does the right thing even when in conflict with own self interest.

Reviewer	Rating
Joshua Castro (Self)	Valuable Contribution
Nereo Diaz (Manager)	Valuable Contribution
Comments	

Nereo Diaz (Manager):

When dealing with peers and customers Joshua displays adherence to the company's ethics and standards. With his compliance to policies and procedures such as remedy and adjustments, Joshua contributes to the call center goals as well as those of other departments.

## Year End Review

After evaluating performance on goals and demonstration level of behaviors, the comments box below allows you to provide feedback on the overall performance for the year.

Reviewer	Rating
Nereo Diaz (Manager)	Requires Improvement
Comments	

Joshua Castro (Self):

I possess the ability to a be a better employee that I did not utilize within the year of 2014

Nereo Diaz (Manager):

Joshua's overall score requires improvement as does his ability to meet the company goals during this review period. With his continuous efforts and his willingness to work in the required areas we will continue working together towards our upcoming goals for 2015.

## Acknowledgement

In the comments area below, you can share feedback about your Year-End Review.

# **Exhibit A10**

## **GC-44**





Preparing Cablevisionaries for what's next

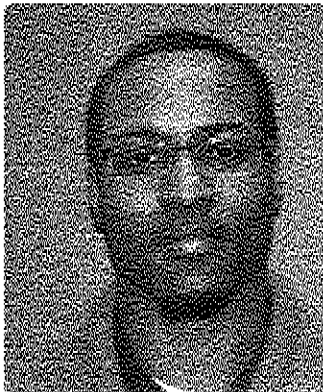
## 2014 Year End Review

Review Period 1/1/2014 - 12/31/2014



### REVIEWER

Raniero Cecora (Manager), Gilbert Vega (Manager - Co-Planner), Valmiki Mohip (Manager - Co-Planner)



### Rawle Williams

Rep I - Tech Support  
Position Number

Cable Operations  
Business Unit

TSG Level 2 - Jericho  
Department

Rep I - Tech Support  
Position Title

Exh. No. GC44 Received ☒ Rejected ☐  
Case No.: \_\_\_\_\_  
Case Name: CSC  
No. Pgs: \_\_\_\_\_ Date: 11/15 Rep: Ben

GC44

## Goal Rating

### Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Resolve customer's issue the first time, ensure no Repeats

- First Call Resolution Rate = % of callers not calling for similar issue within 24 hours  
(Valuable Contributor performance = 91%)
- Quality Rating = Average Score of Internal Quality Assessment  
(Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b>  0%
-------------------------------	-------------------------------	---

**Visibility**  
Yes

Reviewer	Rating
Rawle Williams (Self)	Valuable Contribution
Gilbert Vega (Manager - Co-Planner)	Requires Improvement

#### Comments

Valmiki Mohip (Manager - Co-Planner):  
First Call Resolution Rate = 91.0%  
Quality Rating = 83.5%

### Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Seek opportunities to educate/empower customers to utilize self service and alternate contact channels, through increasing personal usage of proactive email tool

- Quality Rating = Average Score of Internal Quality Assessment  
(Valuable Contributor performance = 80%)

<b>Start Date</b> 12/30/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b>  0%
---------------------------------	-------------------------------	---

**Visibility**  
Yes

Reviewer	Rating
Gilbert Vega (Manager - Co-Planner)	Valuable Contribution

#### Comments

Valmiki Mohip (Manager - Co-Planner):  
Quality Rating = 83.5%

**Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Seek opportunities to educate/empower customers to utilize self service and alternate contact channels, through increasing personal usage of proactive email tool**

- Quality Rating = Average Score of Internal Quality Assessment  
(Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b> <div style="width: 0%; height: 10px; background: linear-gradient(to right, #ccc, #ccc);"></div> 0%
-------------------------------	-------------------------------	---

**Visibility**  
Yes

Reviewer	Rating
Rawle Williams (Self)	Valuable Contribution
Gilbert Vega (Manager - Co-Planner)	Valuable Contribution

**Comments**  
Valmiki Mohip (Manager - Co-Planner):  
Duplicate

**Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Actively engage in all communication activities, meetings, focus groups, training sessions and ones on ones; Deliver excellent service in every customer contact; Always make the customer feel valued throughout the interaction, acknowledge and address their needs**

- Service Experience Rating – Post Call Survey results multiplied by Transfer Rate  
(Valuable Contributor performance = 78%)
- Quality Rating – Internal Quality Assessment  
(Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b> <div style="width: 0%; height: 10px; background: linear-gradient(to right, #ccc, #ccc);"></div> 0%
-------------------------------	-------------------------------	---

**Visibility**  
Yes

Reviewer	Rating
Rawle Williams (Self)	Valuable Contribution
Gilbert Vega (Manager - Co-Planner)	Valuable Contribution

**Comments**  
Valmiki Mohip (Manager - Co-Planner):  
Service Experience Rating = 79.0%  
Quality Rating = 83.5%

**Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Actively engage in all communication activities, meetings, focus groups, training sessions and ones on ones; Deliver excellent service in every customer contact; Always make the customer feel valued throughout the interaction, acknowledge and address their needs**

- Service Experience Rating – Post Call Survey results multiplied by Transfer Rate  
(Valuable Contributor performance = 78%)
- Quality Rating – Internal Quality Assessment  
(Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b>  0 %
<b>Visibility</b> Yes		

Reviewer	Rating
Rawle Williams (Self)	Valuable Contribution
Gilbert Vega (Manager - Co-Planner)	Valuable Contribution

**Comments**  
Valmiki Mohip (Manager - Co-Planner):  
Duplicate

**Contact Centers CSRs, ASRs, TSRs, Leads - 2014 - Handle all call you are trained for without a transfer; Complete all customer transactions with a high degree of accuracy**

- Knowledge Check results (monthly assessment) – Annual Average Score  
(Valuable Contributor performance = Average Score of 85%)
- Quality Rating – Internal Quality Assessment  
(Valuable Contributor performance = 80%)

<b>Start Date</b> 1/1/2014	<b>Due Date</b> 12/31/2014	<b>Progress</b>  0 %
<b>Visibility</b> Yes		

Reviewer	Rating
Rawle Williams (Self)	Valuable Contribution
Gilbert Vega (Manager - Co-Planner)	Requires Improvement

**Comments**  
Valmiki Mohip (Manager - Co-Planner):  
Knowledge Check results = 85.8%  
Quality Rating = 83.5%



## Behaviors Rating

### [Contact Center] Accountability: Cablevisionaries take ownership and deliver results.

Shows strong commitment to achieving results and pursuing excellence. Identifies what needs to be done and does it well. Collaborates with peers, providing assistance and coaching where needed; Looks to continually develop self. Works until tasks are successfully completed. When faced with obstacles, pursues options and escalates to management with ideas for solutions, and sees resolution through to completion. Treats job as if a business owner.

Reviewer	Rating
Rawle Williams (Self)	Valuable Contribution
Gilbert Vega (Manager - Co-Planner)	Requires Improvement

#### Comments

**Valmiki Mohip (Manager - Co-Planner):**  
Rawle has had issues adhering to his schedule of lunch and breaks. He did not meet for adherence for 2014 and 9 of 12 months.. He did meet availability for 4 of 12 months. He has received customer commendations for his ability to make customers feel at ease

### [Contact Center] Customer-Focus: Cablevisionaries know the customer is at the heart of everything we do.

Identifies customer expectations and asks questions to ensure accurate identification of customer needs and relentless pursuit of an excellent customer experience. Listens carefully and demonstrates caring/empathy Conveys commitment to solving the problem. Anticipates customers' needs, identifies barriers, and escalates to resolution.

Reviewer	Rating
Rawle Williams (Self)	Requires Improvement
Valmiki Mohip (Manager - Co-Planner)	Requires Improvement

#### Comments

**Valmiki Mohip (Manager - Co-Planner):**  
Rawle is very customer oriented and does well trying to handle customer escalations. He has received numerous praise calls because of it. His quality scores does not reflect his commitment. He did not meet Quality for 6 of 12 months.

### [Contact Center] Integrity: Cablevisionaries live the values that make our company a great place to work.

Is honest and direct in dealing with people. Acts consistently with Cablevision values, stated policies, and practices. Does not cover up problems or blame others for mistakes. Calls problems out If you see something, say something. Does not disclose confidential information. Says what s/he will do and does what s/he says. Does the right thing even when in conflict with own self interest.

Reviewer Rating

Rawle Williams (Self) Requires Improvement

Gilbert Vega (Manager - Co-Planner) Requires Improvement

Comments

Valmiki Mohip (Manager - Co-Planner):

Rawle has not adhered to attendance and leave policies and as a result is on a written corrective action for absenteeism

Year End Review

After evaluating performance on goals and demonstration level of behaviors, the comments box below allows you to provide feedback on the overall performance for the year.

Reviewer Rating

Gilbert Vega (Manager - Co-Planner) Requires Improvement

Comments

Valmiki Mohip (Manager - Co-Planner):

Rawle is showing commitment and taking ownership of all issues. He makes sure that the customer is well taken care of and looks to create a positive customer experience. Rawle takes that extra time to make sure that all the details and follow up work are completed. He diligently works toward correcting and improving in those areas where he needs help. He actively seeks me out from time to time to ensure that he understands any changes or new processes. He has received customer commendations for his ability to make customers feel at ease. Rawle must work on his punctuality.

Acknowledgement

In the comments area below, you can share feedback about your Year-End Review.

# **Exhibit A10**

## **GC-45**

Employee Name	Business Title	Disciplinary Type Date	Disciplinary Step	Reported On	Description	Delivery Date (A)	Status	Term Date	Term Reason
Acosta, Dairas	Rep I - Tech Support						Terminated	1/8/2014	I-Attendance
Aghabeygoh, Kokeu	Rep I - Tech Support	Unsatisfactory Performance	Action Plan	3/20/2014	Failed Assessment/Knowledge Checks/Quality/SER	3/20/2014	Terminated	5/8/2014	I-Unsatisfactory Performance
Aley, Jason E	Rep II - Tech Support	Unsatisfactory Performance	Final Warning	4/12/2015	Call mis-handling	4/12/2015	Terminated	5/18/2015	I-Unsatisfactory Performance
		Unsatisfactory Performance	Action Plan	8/11/2014	Not meeting Quality Goal or Hold Goal	8/11/2014	Terminated	5/18/2015	I-Unsatisfactory Performance
Caraga, Brian Daniel	Rep I - Tech Support						Terminated	2/18/2014	I-Attendance
Corsous Jr, Nicolas James	Rep I - Tech Support	Attendance (Late/Early Depart)	Written Warning	3/14/2014	Late arrivals	3/14/2014	Terminated	5/14/2014	I-Unsatisfactory Performance
		Attendance (Absence)	Final Warning	9/9/2014	Unexcused sick time on 9/9 8 hours in total	9/22/2014	Terminated		
Elliot, Charles	Rep I - Tech Support	Attendance (Late/Early Depart)	Written Warning	7/9/2014	Late arrivals and lat from lunch on 7 occasions from 6/26 to 7/3/14	8/24/2014	Terminated	5/11/2015	I-Attendance
		Attendance (Late/Early Depart)	Documented Verbal Warning	5/19/2014	Late arrivals 4/27 28 min, 5/2 29 min, 5/10 10 min, 5/8 10 minutes for a total of 77 minutes and 4 occurrences	5/22/2014	Terminated		
Estrella, Raulito Rafael	Rep I - Tech Support						Terminated	1/16/2014	I-Attendance
Grant Jr, Anthony Charles Hallerlin	Rep I - Tech Support	Attendance (Late/Early Depart)	Written Warning	2/7/2014	Lateness from lunch/late arrivals/exceeded sick time (original from 1/10/14 amended for this one)	2/7/2014	Terminated	2/21/2014	I-Attendance
		Attendance (Absence)	Final Warning	2/7/2014	Exceeded sick time	2/7/2014	Terminated		
Guy, Gaylin Geri Gillen	Rep II - Tech Support						Terminated	1/13/2014	I-Attendance
Hamblin, Yalina Angelica	Rep I - Tech Support						Terminated	2/15/2014	I-Attendance
Harrison, Erik L	Rep II - Tech Support						Terminated	12/12/2013	I-Attendance
Henry, Markon	Rep I - Tech Support						Terminated	12/11/2013	I-Unsatisfactory Performance
Johnson, Annie Mae	Rep I - Tech Support						Terminated	12/11/2013	I-Attendance
Johnson, Renaldo T	Rep I - Tech Support	Attendance (Late/Early Depart)	Final Warning	3/13/2014	Late arrivals	3/13/2014	Terminated	4/29/2014	I-Attendance
Karear, Jobanbas Jerrell	Rep I - Tech Support	Attendance (Absence)	Final Warning	12/11/2013	Absence	12/11/2013	Terminated	2/21/2014	I-Attendance
Keller, Daliane Junior	Rep I - Tech Support	Attendance (Late/Early Depart)	Final Warning	2/14/2014	Late arrivals	2/14/2014	Terminated	5/13/2014	I-Attendance
Kota, Jennifer	Rep I - Tech Support	Attendance (Late/Early Depart)	Final Warning	1/10/2014	Late arrivals/exceeded sick/personal time	1/10/2014	Terminated	2/10/2014	I-Attendance
Ortiz, Jose A	Rep I - Tech Support	Attendance (Absence)	Final Warning	3/6/2014	House denied in Leave Pro	3/6/2014	Terminated	4/10/2014	I-Attendance
Parker, Kimberly Diane	Rep I - Tech Support	Unsatisfactory Performance	Documented Verbal Warning	6/9/2015	Failure to follow the local escalation process procedure	6/9/2015	Terminated	7/18/2015	I-Unsatisfactory Performance
Pope, Rocky	Rep I - Tech Support	Unsatisfactory Performance	Action Plan	5/11/2015	Absenteeism and AHT	6/11/2015	Terminated	8/18/2015	I-Unsatisfactory Performance
Quarles, Kason Thomas	Rep I - Tech Support	Unsatisfactory Performance	Action Plan	4/17/2015	Overall Job Knowledge/knowledge check scores	4/17/2015	Terminated	6/11/2015	I-Unsatisfactory Performance
Rabel, James Martin	Rep I - Tech Support						Terminated	3/14/2014	I-Attendance
Ravella, Oyon	Rep I - Tech Support	Attendance (Absence)	Final Warning	5/23/2014	Lateness: 4/10/14-16 minutes (personal time), 4/24/14-10 minutes (personal time), 6/30/14-8 minutes, 5/2/14-30 minutes (personal time), 5/15/14-11 minutes (personal time), 5/23/14-5:25 hours (personal time)	6/1/2014	Terminated	7/5/2014	I-Attendance
		Attendance (Late/Early Depart)	Written Warning	3/20/2014	Late using his personal time 14 late unpaid/unexcused	3/20/2014	Terminated		
		Attendance (Late/Early Depart)	Documented Verbal Warning	2/14/2014	Late arrivals	2/14/2014	Terminated		
Rouder, Anthony	Rep II - Tech Support	Attendance (Late/Early Depart)	Final Warning	10/13/2014	Late arrivals on 4/21 - 11 minutes, 6/2/14 7 minutes, 7/22/14 51 minutes, 10/13/14 2 hours	10/31/2014	Terminated	4/14/2015	I-Attendance
		Attendance (Late/Early Depart)	Final Warning	2/9/2014	Late arrivals	2/9/2014	Terminated		
		Attendance (Absence)	Written Warning	12/11/2013	Absence	12/11/2013	Terminated		
Rowe, Austin Leon	Rep I - Tech Support	Unsatisfactory Performance	Documented Verbal Warning	6/4/2015	Failing to follow CPM	6/30/2015	Terminated	8/5/2015	I-Unsatisfactory Performance
Forrest Jr, James	Rep I - Tech Support						Terminated	2/12/2014	I-Attendance
Vasquez Jr, Manolo G	Rep I - Tech Support	Unsatisfactory Performance	Action Plan	3/13/2014	Failed Assessment/Knowledge Checks/Quality/Availability	3/13/2014	Terminated	4/23/2014	I-Unsatisfactory Performance
Washington, Flora	Rep I - Tech Support	Behavior (Policy Violation)	Final Warning	10/14/2014	Employee failed to escalate a call when the customer advised he would forward his concerns to someone else. In addition, employee was observed sleeping at her desk. This is the 7th time in 4 months.	10/30/2014	Terminated	12/16/2014	I-Violation of Rules
		Attendance (Absence)	Documented Verbal Warning	5/13/2014	Unexcused sick time - 8 hours with no accrued time available	5/16/2014	Terminated		
Williams Jr, Rawle Andre	Rep I - Tech Support	Attendance (Absence)	Final Warning	7/25/2014	Late arrivals from lunch on 7/5 & 7/18, late arrival to work on 7/25 and unexcused personal time on 7/17	8/8/2014	Terminated	3/5/2015	I-Attendance
		Attendance (Late/Early Depart)	Written Warning	6/27/2014	Employee was late on 5 occurrences from 5/16/14 to 6/27/14	6/27/2014	Terminated		
		Attendance (Late/Early Depart)	Documented Verbal Warning	3/8/2014	Late arrivals/unexcused personal	3/8/2014	Terminated		
Williams, Johnny Calvin	Rep I - Tech Support	Unsatisfactory Performance	Final Warning	4/2/2015	Failed to follow CPM process	4/19/2015	Terminated	5/19/2015	I-Unsatisfactory Performance
		Unsatisfactory Performance	Action Plan	9/24/2014	Overall Performance/Skill Knowledge and attendance	10/24/2014	Terminated		

Exh. No: 45 Received ☒ Rejected ☐  
Case No.: 29-RA-154544  
Case Name: LLC Holdings LLC  
No. Pgs: 10-8-15 Date: 10-8-15 Rep.: Jm

# **Exhibit A10**

## **GC-46**



UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 29

CSC HOLDINGS LLC and CABLEVISION SYSTEMS  
CORP., a single employer

Respondents,

-and-

COMMUNICATION WORKERS OF AMERICA,  
AFL-CIO,

Charging Party.

Case 29-CA-154544

ANSWER TO AMENDED COMPLAINT ON BEHALF OF CSC HOLDINGS LLC  
AND CABLEVISION SYSTEMS CORP.

Respondents CSC HOLDINGS LLC and CABLEVISION SYSTEMS CORP.

("Respondents"), by their attorneys Kauff McGuire & Margolis LLP, hereby answer the  
Complaint dated August 24, 2015, as amended on the hearing record on October 1, 2015  
(the "Complaint"), in the above-captioned case as follows:

1. Respondents are without knowledge or information sufficient to form a  
belief as to the truth of when the charges were filed, but admit they were served on or  
about June 22, 2015.

2.

(a) Admitted.

(b) Denied; however, Respondents admit that, at all times relevant to  
the allegations of the Complaint, Cablevision Systems Corp. ("Cablevision"), a foreign  
corporation, has an office and its place of business located at 1111 Stewart Avenue,  
Bethpage, New York.

Exh. No: 46 Received ✓ Rejected      
Case No.: 29-CA-154544  
Case Name: CSC Holdings LLC  
No. Pgs:     Date: 10-7-15 Rep:      
JA0580

(c) Denied; however, Respondents admit that, at all times relevant to the allegations of the Complaint, Holdings has been a subsidiary of Cablevision, with common ownership, directors and officers; the companies do not make sales to each other; and the companies are publicly identified as parent and subsidiary and are held out as a single business enterprise.

(d) Denied; except that Respondents admit solely for the purposes of this proceeding that Holdings and Cablevision are a single employer jointly and severally liable for any unfair labor practice liability resulting from this proceeding.

3.

(a) Admitted.

(b) Admitted.

(c) Holdings and Cablevision each admit that it is and each has been, at all times relevant to the allegations of the Complaint, an employer within the meaning of Section 2(2), (6) and (7) of the National Labor Relations Act.

4. Admitted.

5. Denied; however Respondents aver that the individuals listed held the positions set forth opposite their names, below, at the times related to the allegations of the Complaint, May 1, 2015 until June 8, 2015; and, Respondents admit that each was a supervisor within the meaning of Section 2(11) of the National Labor Relations Act:

(a) James Dolan – Chief Executive Officer

(b) John Tucci – Manager, Technical Support Group

(c) Yvette Panno – Director, Human Resources Generalist

(d) Francesca Prochazka – Manager, Human Resources Generalist

(e) Anthony Maharaj – Supervisor, Technical Support Group

- (f) Val Mohip – Supervisor, Technical Support Group
- (g) Paul Hilber – Senior Vice President, Human Resources

6.

- (a) Denied.
- (b) Admitted.
- (c) Denied.
- (d) Denied.

7. Denied.

8. Denied.

### **AFFIRMATIVE DEFENSES**

Assertion of an affirmative or other defense by Respondents does not constitute the assumption by Respondents of any burden of proof properly allocated to the General Counsel of the National Labor Relations Board or the Charging Party as the case may be.

**FIRST** – The allegations of the Complaint are barred by the limitation of time in Section 10(b) of the Act.

**SECOND** – The allegations of the Complaint fail to state a claim for which relief may be granted.

**THIRD** – The remedy sought in the Complaint that an Order should issue requiring that Respondents reimburse Dorothea Perry for all search-for-work and work-related expenses is an abuse of discretion, the General Counsel has no basis to seek the remedy, and the remedy is not authorized by the Act.

**WHEREFORE**, Respondents CSC Holdings LLC and Cablevision Systems Corp.



respectfully request that the Complaint be dismissed in its entirety, and that Respondents have such other, further and additional relief as may be warranted.

Dated: October 6, 2015 at New York, New York.

**KAUFF MCGUIRE & MARGOLIS LLP**  
Attorneys for Respondents  
CSC Holdings LLC and Cablevision Systems Corp.

By: 

Kenneth A. Margolis  
Kristina C. Hammond

950 Third Avenue - 14<sup>th</sup> Floor  
New York, NY 10022  
(212) 644-1010

# **Exhibit A10**

## **GC-47**

From: Yvette Panno  
To: John Tucci; Milton Lopera  
Sent: 5/20/2015 7:42:14 PM  
Subject: Fwd: Update

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Gilbert Vega <GVEGA@cablevision.com>  
Date: 05/20/2015 7:27 PM (GMT-05:00)  
To: Yvette Panno <YPANNO@cablevision.com>  
Subject: Update

Yvette,

If you are in tomorrow, can we meet about Dorothea? I just spoke with Val and he said he spoke with her yesterday and she said that there are still things that she would like to mention to Mr. Dolan that she did not include in her last e-mail. Val said she would not elaborate. He indicated that he will follow-up with her tonight.

I again coached Val on letting me know about these things when they happen. He owes me an update after his meeting with her tonight.

Gilbert Vega  
TSG Manager  
516-803-0653

gc  
Exh. No: 47 Received ☒ Rejected ☐  
Case No.: 29-CA-154544  
Case Name: CSC Holdings LLC  
No. Pgs: 16-7-15 Date: 16-7-15 Rep.: Amy

JA0585

# **Exhibit A10**

## **GC-48**

From: Nicole Westcarr  
To: Gilbert Vega  
Sent: 6/9/2015 8:34:31 AM  
Subject: RE: Monthly recognition -VoC May 2015.pptx

9c  
Exh. No: 48 Received ☒ Rejected ☐  
Case No.: 29-CA-154544  
Case Name: CSC Holdings LLC  
No. Pgs: 10-7-15 Date: 10-7-15 Rep.: A.M.

Really?

That's news!

Thanks

From: Gilbert Vega  
Sent: Monday, June 08, 2015 10:22 PM  
To: Nicole Westcarr  
Subject: RE: Monthly recognition -VoC May 2015.pptx

You may want to remove Dorothea Perry as she is no longer with us.

From: Nicole Westcarr  
Sent: Thursday, June 04, 2015 3:01 PM  
To: Tara Campbell; C'Vonne Smith; Gina Spaulding; Gilbert Vega; Anita Zummo  
Cc: John Tucci  
Subject: FW: Monthly recognition -VoC May 2015.pptx

Team,  
Please review the presentation let me know how many points you think we should award to each of them?

I looked at the data for the past 90 days and each month we average between 10 - 15 representatives. Whatever amount we agree to, each of us would contribute those bucket of points for one month for the remainder of the year.  
For example - I will award the points to all the representatives reflected on the slide for the month of May.

Thoughts?

From: Nicole Westcarr  
Sent: Thursday, June 04, 2015 2:52 PM  
To: Milton Lopera; John Tucci  
Subject: RE: Monthly recognition -VoC May 2015.pptx

Absolutely!!

From: Milton Lopera  
Sent: Thursday, June 04, 2015 2:44 PM  
To: Nicole Westcarr; John Tucci  
Subject: RE: Monthly recognition -VoC May 2015.pptx

LOVE IT!!!!.....can we give them some points?

From: Nicole Westcarr  
Sent: Thursday, June 04, 2015 2:15 PM  
To: John Tucci  
Cc: Milton Lopera  
Subject: FW: Monthly recognition -VoC May 2015.pptx  
Importance: High

John,  
There is currently nothing in place to recognize those representatives who end the month with 10s across all attributes of the call.

I would like to recognize them beginning with the data from last month.

Please review the attached, and provide feedback.

JA0587

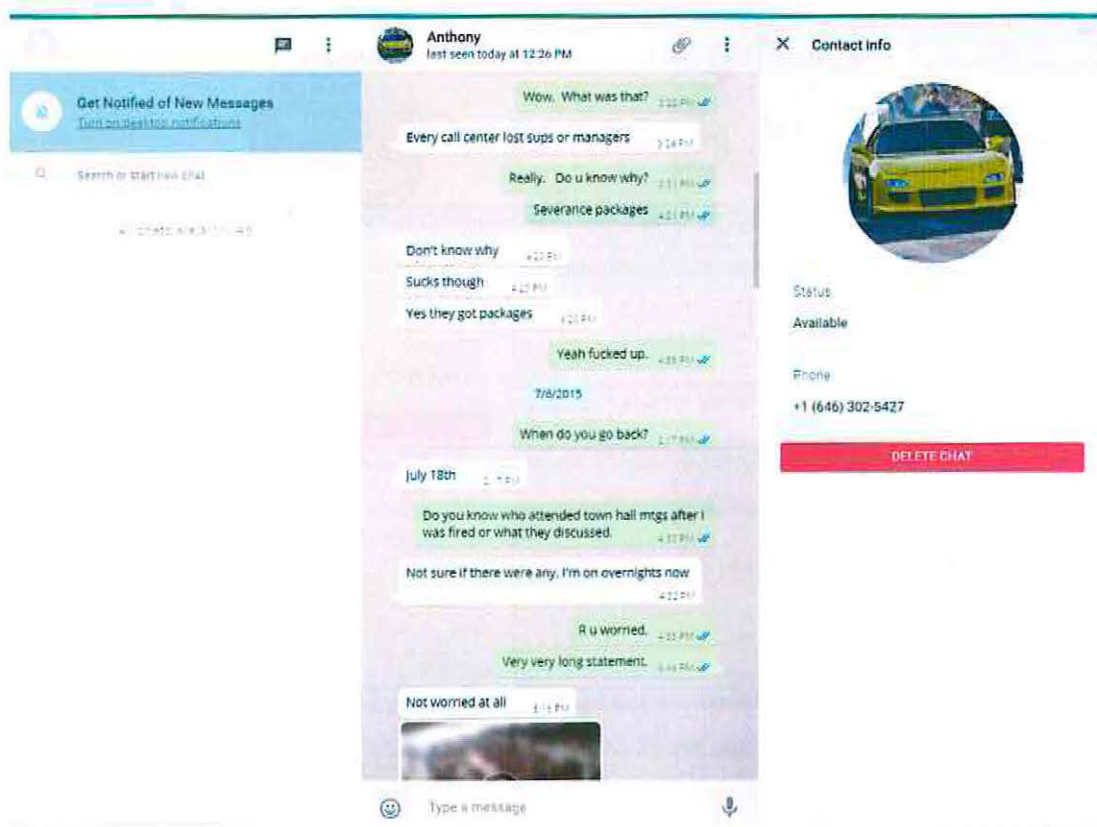
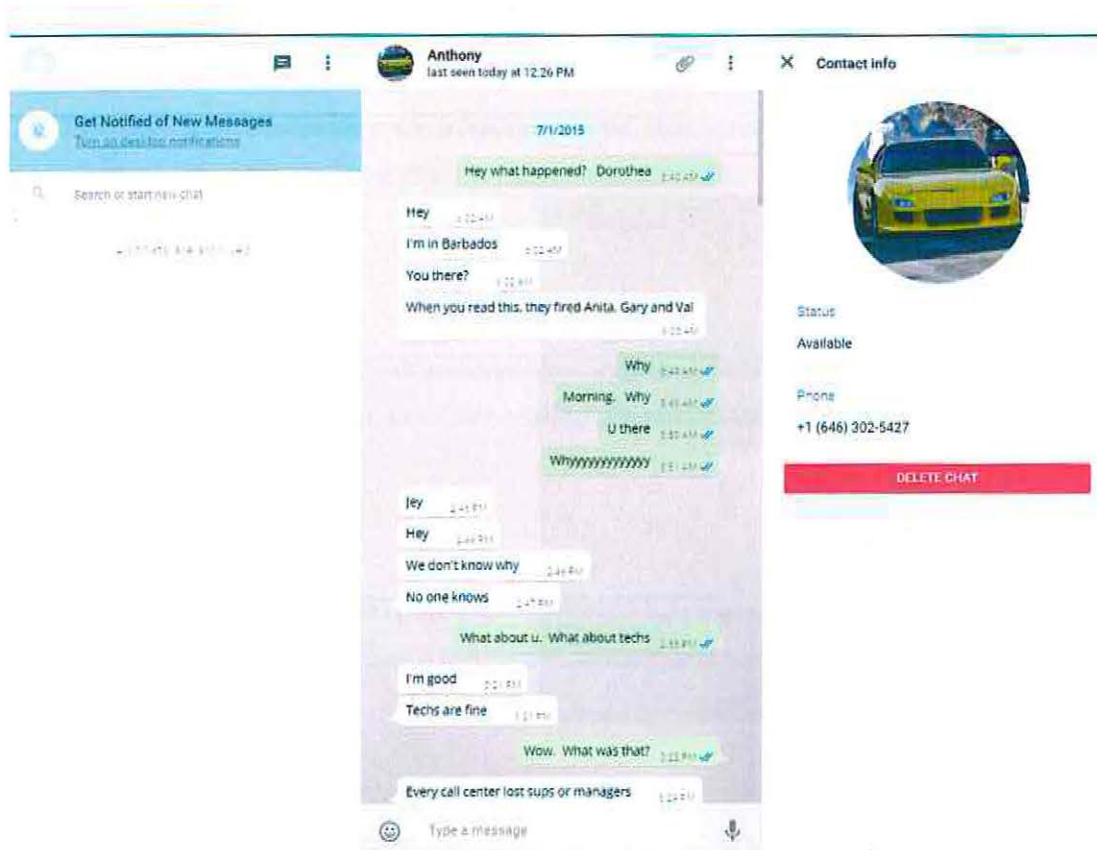
R0003834

Thanks

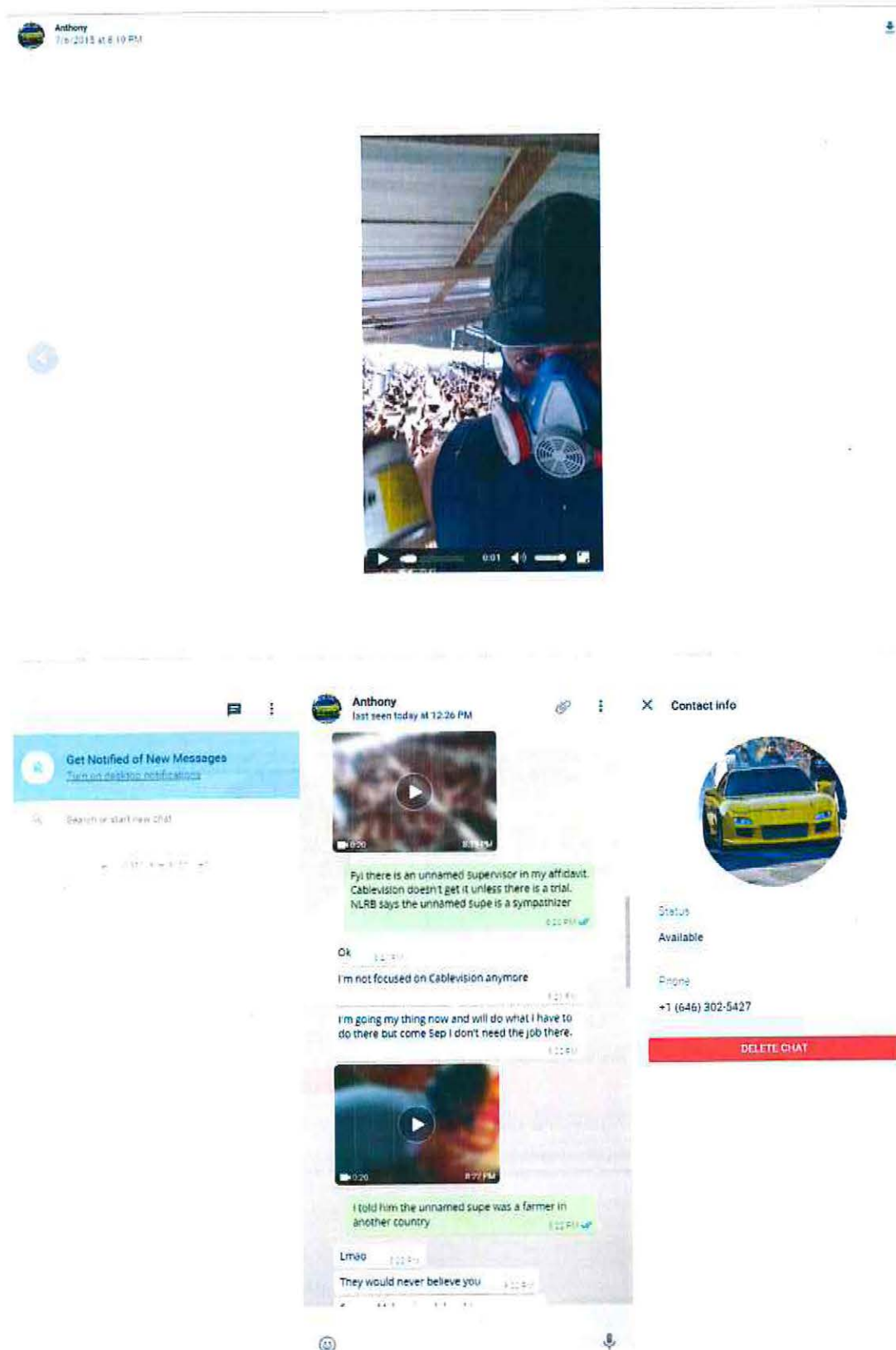


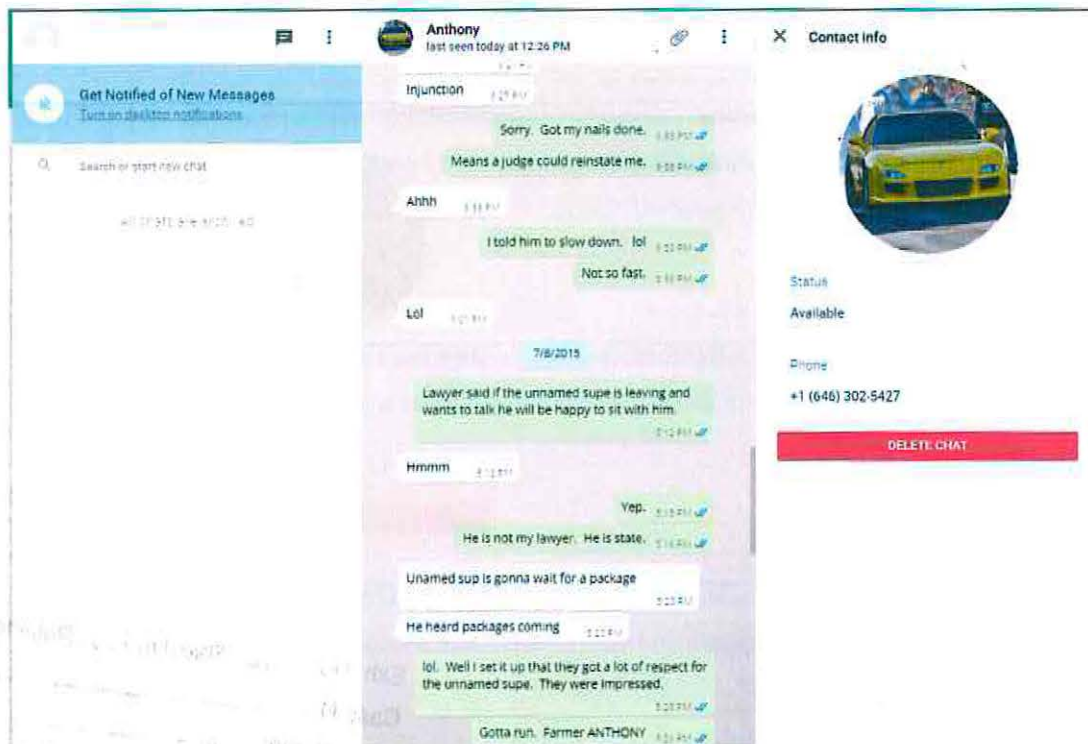
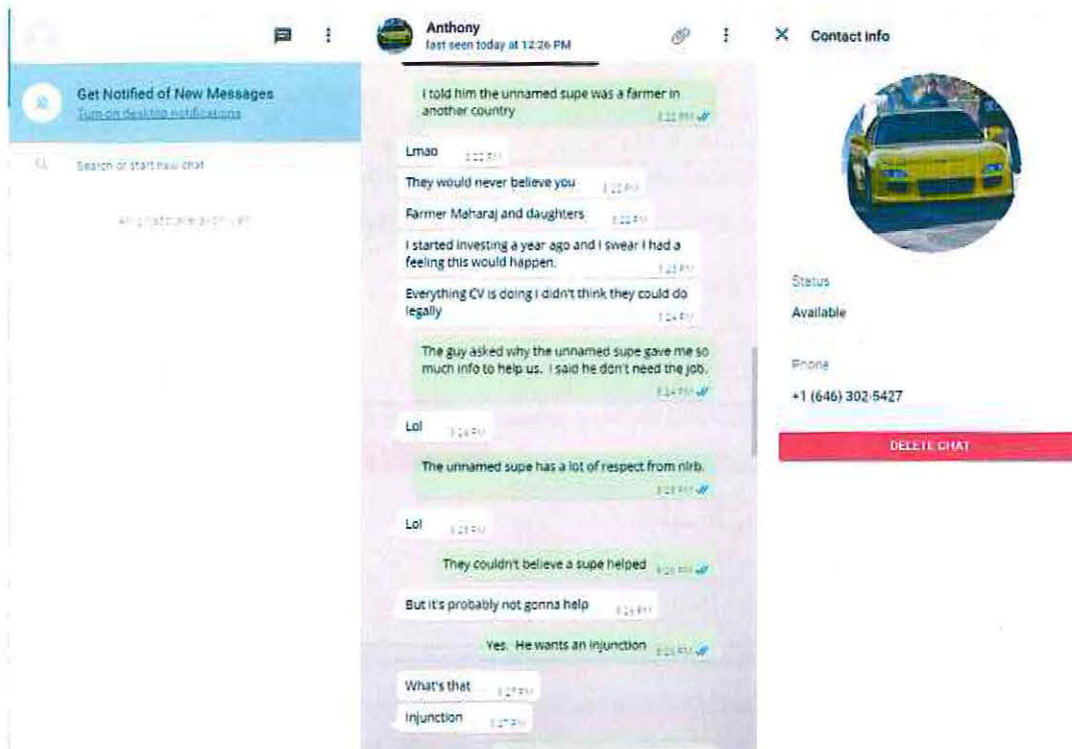
# **Exhibit A10**

## **GC-49**

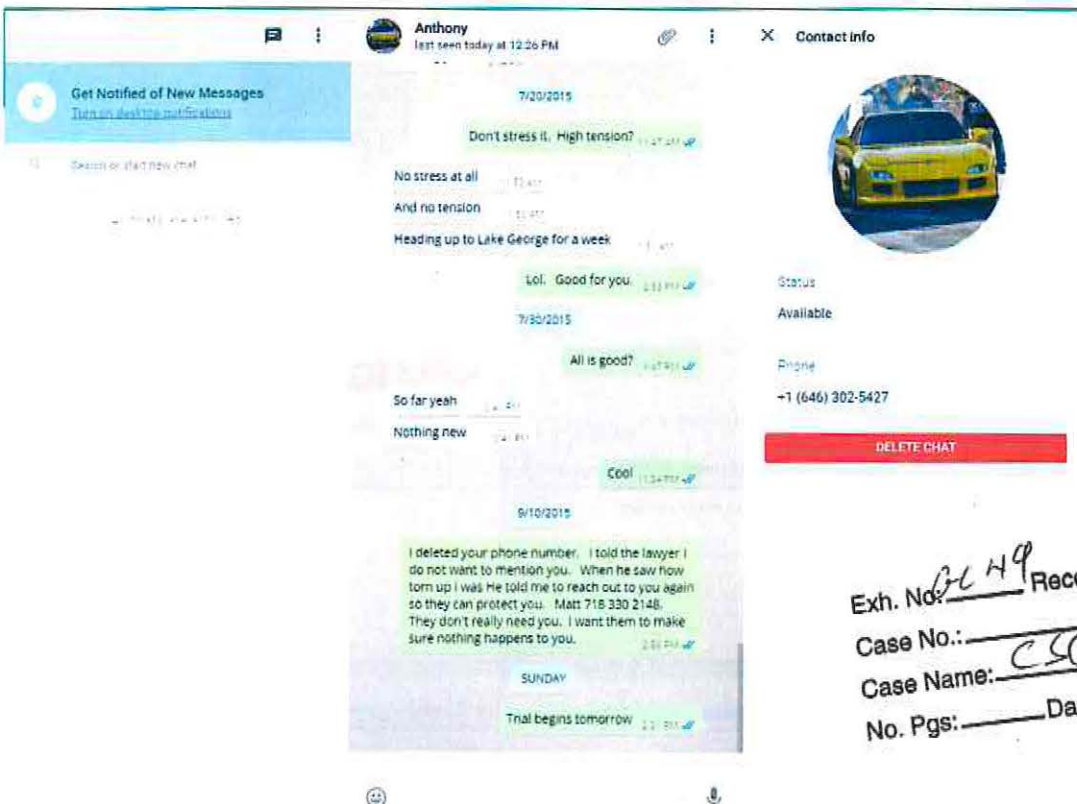
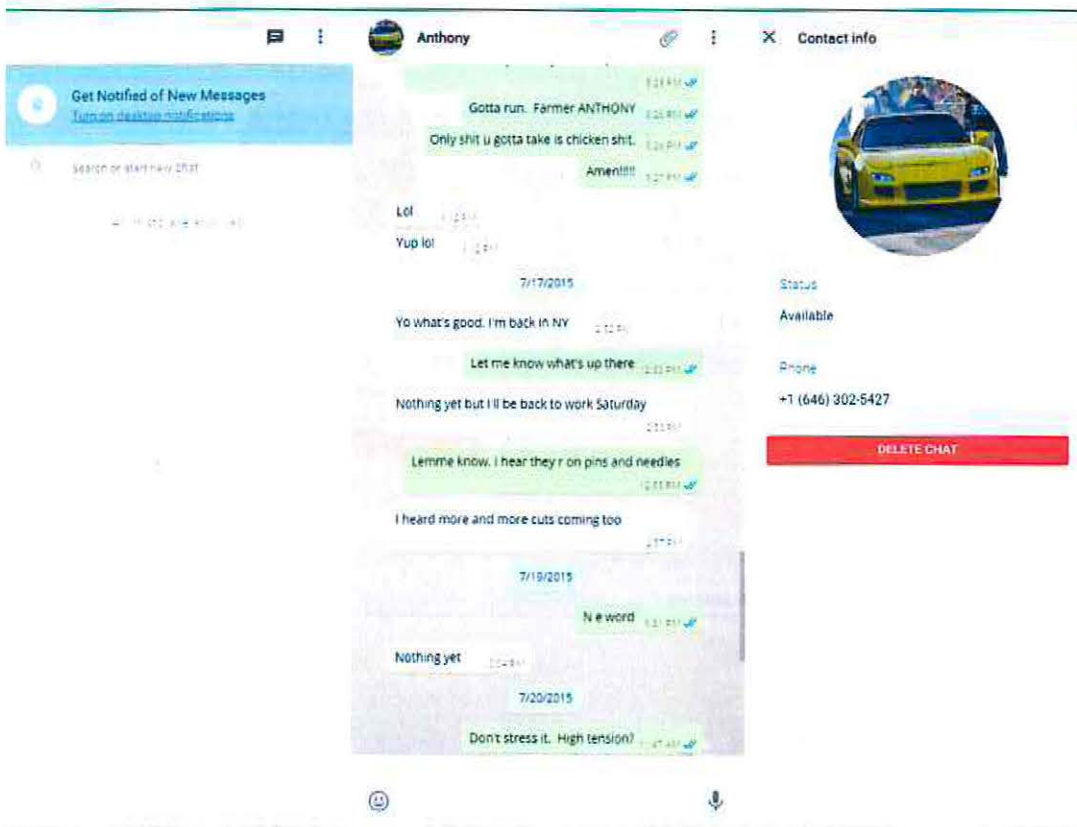


Exh. No.: 49 Received ☒ Rejected ☐  
 Case No.: 29-CA-154544  
 Case Name: CSC Holdings LLC  
 No. Pgs: 10-8-15 Date: 7/15 Rep.: JA0590









Exh. No. 3649 Received ✓ Rejected \_\_\_\_\_  
 Case No.: \_\_\_\_\_  
 Case Name: CSC HOLDINGS  
 No. Pgs: \_\_\_\_\_ Date: \_\_\_\_\_ Rep.: \_\_\_\_\_

# **Exhibit A10**

## **GC-50**





Date: 5/26/2015  
 To: Manvendra Mittal  
 From: Valmiki Mohip  
 Re: Action Plan- NPS, OSAT and AHT

Exh. No: 50 Received            Rejected             
 Case No.: 29-CA-15457/4  
 Case Name: ESC Holdings LLC  
 No. Pgs:            Date: 10-8-15 Rep.: Am

On 3/05/2015, 3/27/2015 and 4/25/2015 we discussed the need for improvement in NPS, OSAT and AHT, which are extremely important to Cablevision and the operation of the department, as well as the self-included impact on your metrics yearly performance.

*Manvendra has failed to meet the peer group established average in the area concerning the LTR aspect of NPS and OSAT as well as AHT for the past two months.*

Since then, we have not identified sufficient improvement in these areas. Therefore, this Action Plan has been prepared to assist you in meeting the standards of your position. With your input, this plan will address the areas where we expect your performance to improve; the desired performance level; and what you should expect if the desired performance objectives are not met.

You will be given up to <30> days to improve your performance in these areas to the expected levels outlined below.

Area of Necessary Improvement	Performance Objective/How to Correct												
<p><b>NPS</b></p> <p>Manvendra had failed to achieve the expected average for the months of Feb through April falling well below his peers in his NPS scores as detailed below:</p> <table><tr><td></td><td>Manvendra</td><td>Peer Group</td></tr><tr><td>Feb</td><td>15.1</td><td>56.7</td></tr><tr><td>Mar</td><td>8.3</td><td>54.8</td></tr><tr><td>Apr</td><td>11.6</td><td>54.9</td></tr></table>		Manvendra	Peer Group	Feb	15.1	56.7	Mar	8.3	54.8	Apr	11.6	54.9	<p>The expectation is that Manvendra will comply with the recommendations outlined to achieve an NPS average at or above those of his Peer Group over the course of the next 30 days and moving forward.</p> <p>Some suggestions for correcting:</p> <ul style="list-style-type: none"><li>• Convey the value of Optimum's products and services</li><li>• Offer personalized options to the customer</li><li>• Educate the customer on self-help options to add value</li><li>• Value the customer's tenure and business - Conduct a natural, professional and courteous conversation, personalized to each customer and situation. Demonstrate confidence; convey a sense of urgency, concern and understanding of and explaining your customer's issue while taking ownership for the resolution.</li></ul>
	Manvendra	Peer Group											
Feb	15.1	56.7											
Mar	8.3	54.8											
Apr	11.6	54.9											
<p><b>OSAT</b></p> <table><tr><td></td><td>Manvendra</td><td>Peer Group</td></tr><tr><td>Feb</td><td>7.5</td><td>8.9</td></tr><tr><td>Mar</td><td>7.7</td><td>8.9</td></tr><tr><td>Apr</td><td>8.1</td><td>9.0</td></tr></table>		Manvendra	Peer Group	Feb	7.5	8.9	Mar	7.7	8.9	Apr	8.1	9.0	<p>The expectation is that Manvendra will comply with the recommendations outlined to achieve an OSAT average at or above those of his Peer Group over the course of the next 30 days and moving forward:</p> <ul style="list-style-type: none"><li>• Utilize your soft skills</li><li>• Empathize with the customer the moment they state their issue</li></ul>
	Manvendra	Peer Group											
Feb	7.5	8.9											
Mar	7.7	8.9											
Apr	8.1	9.0											

**CABLEVISION**

Area of Necessary Improvement	Performance Objective/How to Correct												
<b>AHT</b> <table><tr><td></td><td>Manvendra</td><td>Peer Group</td></tr><tr><td>Feb</td><td>756</td><td>633</td></tr><tr><td>Mar</td><td>733</td><td>635</td></tr><tr><td>Apr</td><td>815</td><td>625</td></tr></table>		Manvendra	Peer Group	Feb	756	633	Mar	733	635	Apr	815	625	<p>The expectation is that Manvendra will comply with the recommendations outlined to achieve an AHT average at or above those of his Peer Group over the course of the next 30 days and moving forward:</p> <ul style="list-style-type: none"><li>Utilizing all reference material, systems and troubleshooting flows including but not limited to the KDB, TSGNews, IDA, and Remedy, efficiently and correctly handle all aspects of each incoming call.</li><li>Your Supervisor will remote live monitor you a minimum of 5 times weekly to assess your understanding and execution of our call handling processes, troubleshooting steps and your ability to control your calls.</li></ul>
	Manvendra	Peer Group											
Feb	756	633											
Mar	733	635											
Apr	815	625											

**Supervisory Assistance:**

During this period,

- I will meet with you on an as-needed basis to assist you with the Action Plan outlined above.
- I also will make myself available to discuss any other matters that might arise in the normal course of business.
- Supervisor Shane Abbatecola will sit side by side with you for 30 minutes a week and provide both feedback and tips to better your NPS score.

This Plan is designed to help improve your performance in the above stated areas within the next <30> days. If any of the above situations occur within this time period, if you are unable to improve and sustain improvement in the designated areas or if you engage in any conduct that violates the Company's Values/policies, (during this period and thereafter), you will be subject to further corrective action up to and including termination of your employment.

**Acknowledgement:**

I have read, discussed and understand the contents of the Action Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to improve in the designated areas, to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including separation of my employment. My follow up meeting is scheduled 6/5/2015

Employee's Signature: Manvendra Mittal Date: 5/29/2015

Supervisor: Pursh

Date: 5/29/15

# **Exhibit A10**

## **GC-51**

-From: Joel Cataldo  
To: Yvette Panno  
Sent: 6/1/2015 2:50:25 PM  
Subject: Re: Action Requested: Dorothea Perry

My only concern it waiting is that the others won't be receiving COBRA dollars... This would feel different.

From: Yvette Panno <YPANNO@cablevision.com<mailto:YPANNO@cablevision.com>>  
Date: Monday, June 1, 2015 at 2:46 PM  
To: Joel Cataldo <jcataldo@cablevision.com<mailto:jcataldo@cablevision.com>>  
Subject: RE: Action Requested: Dorothea Perry

Paul said same.... get ready ...I do think it would be in context in June

From: Joel Cataldo  
Sent: Monday, June 01, 2015 2:46 PM  
To: Yvette Panno  
Subject: Re: Action Requested: Dorothea Perry

Would there be more noise if we waited until the end of June? This one feels like a tear the bandaid off opportunity.

JC

From: Yvette Panno <YPANNO@cablevision.com<mailto:YPANNO@cablevision.com>>  
Date: Monday, June 1, 2015 at 2:36 PM  
To: Joel Cataldo <jcataldo@cablevision.com<mailto:jcataldo@cablevision.com>>  
Subject: RE: Action Requested: Dorothea Perry

Perfect...tell her it will be noisy and she did file a charge in 2012 - alternative is to wait until end June

From: Joel Cataldo  
Sent: Monday, June 01, 2015 2:36 PM  
To: Yvette Panno  
Subject: Re: Action Requested: Dorothea Perry

I'm with her now. I'll ask her.  
JC

From: Yvette Panno <YPANNO@cablevision.com<mailto:YPANNO@cablevision.com>>  
Date: Monday, June 1, 2015 at 2:32 PM  
To: Joel Cataldo <jcataldo@cablevision.com<mailto:jcataldo@cablevision.com>>  
Subject: RE: Action Requested: Dorothea Perry

Thanks.... did you receive approval from Lisa or do you prefer me to call her?

From: Joel Cataldo  
Sent: Monday, June 01, 2015 2:32 PM  
To: Yvette Panno  
Cc: Hanisa McBride

Exh. No. SC51 Received / Rejected \_\_\_\_\_

Case No.: \_\_\_\_\_

Case Name: CS

No. Pgs: 1 Date: 6/1/15 Rep: Ben

Subject: Re: Action Requested: Dorothea Perry

Paul is comfortable with the 18 months option.

Thanks  
JC

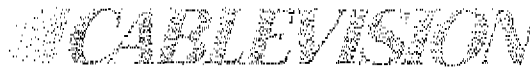
From: Yvette Panno <YPANNO@cablevision.com<mailto:YPANNO@cablevision.com>>  
Date: Monday, June 1, 2015 at 10:26 AM  
To: Hanisa McBride <hmcbride@cablevision.com<mailto:hmcbride@cablevision.com>>, Rosa  
Morales  
<RCAMPBEL@cablevision.com<mailto:RCAMPBEL@cablevision.com>>, Joet Cataldo  
<jcataldo@cablevision.com<mailto:jcataldo@cablevision.com>>  
Subject: RE: Action Requested: Dorothea Perry

Thanks for the follow-up, Hanisa.  
I also relayed to Joel that we still are pending Lisa's approval.  
18 months is the discussion I had with Paul last week.  
Yvette

# **Exhibit A10**

## **GC-52**





Date: 3/20/14  
Name: K. A.  
Date of Hire: 9/10/12  
Title: Technical Support Rep. I  
Grade: 13  
Supervisor/Manager: Claire Burnett/John Gilantzis  
Prior Corrective Action: None

#### Statement of Concern:

On 3/18/14 we discussed the need for improvement in job knowledge, which is extremely important to the customer, the operation of the department, and the Company.

This Action Plan has been prepared to assist you in meeting the standards of your position. With your input, this plan will address the areas where we expect your performance to improve: the desired performance level; and what you should expect if the desired performance objectives are not met.

The standard goals of the Contact Center are as follows:

Measure	Goal
Knowledge Check	85%
TSG Assessment	80%
Quality	80%
SER	78% (81%- prior to 11/13 for grade 15)

Exh. No. 652 Received ☒ Rejected ☐  
Case No.: \_\_\_\_\_  
Case Name: ESC  
No. Pgs: \_\_\_\_\_ Date: 10/27/15 Rep: [Signature]

You will be given up to 30 days to improve your performance in these areas to the expected levels outlined above.

Area of Necessary Improvement	Performance Objective/How to Correct
<p>[Redacted] has not consistently achieved the goal for Knowledge Checks, Assessments, Quality, and Service Experience as follows:</p> <p>Overall Technical/Product Job Knowledge</p> <p>Knowledge Check</p> <ul style="list-style-type: none"><li>1<sup>st</sup> Quarter 2013 75%</li><li>3<sup>rd</sup> Quarter 2013 65%</li></ul>	<p>Weekly meetings to be held with your Supervisor to review use of department tools, systems and databases. Supervisor will monitor representative 3 times weekly to assess the representative's understanding, execution and communication of overall technical and product knowledge.</p>

## CABLEVISION

### TSG Assessment

- November 2013 60%
- February 2014 60%

### Quality

- June 2013 79%
- July 2013 79.25%
- Dec 2013 79.67%

### Service Experience

- Feb 2013 65.90%
- March 2013 70.50%
- April 2013 72.30%
- May 2013 74.30%
- June 2013 74.10%

Weekly meetings with Supervisor to review Quality monitors.

Weekly meetings with Supervisor to review Service Experience.

### Supervisory Assistance:

During this period, your Supervisor, *Claire Burnett*, will meet with you *regularly* to assist you with the Performance Improvement Plan outlined above. Your manager, *John Gfantzis*, will also make himself available to discuss any other matters that might arise in the normal course of business.

This Plan is designed to help improve your performance in the above stated areas within the next 30 days. If any of the above situations occur within this time period, if you are unable to improve and sustain improvement in the designated areas or if you engage in any conduct that violates the Company's Values/policies, (during this period and thereafter), you will be subject to further corrective action up to and including termination of your employment.

### Acknowledgement:

I have read, discussed and understand the contents of the Action Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to improve in the designated areas, to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including separation of my employment. My follow up meeting is scheduled 3/27/14

Employee's Signature: \_\_\_\_\_

Date: 3-20-2014

Supervisor: *Claire E. Burnett*

Date: 3/20/14



Date: 3/27/14  
 Name: K. A. [REDACTED]  
 Date of Hire: 9/10/12  
 Title: Technical Support Rep. I  
 Grade: 13  
 Supervisor/Manager: Claire Burnett/John Gilantzis  
 Prior Corrective Action: None

#### Statement of Concern:

On 3/18/14 we discussed the need for improvement in job knowledge, which is extremely important to the customer, the operation of the department, and the Company.

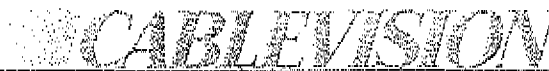
This Action Plan has been prepared to assist you in meeting the standards of your position. With your input, this plan will address the areas where we expect your performance to improve; the desired performance level; and what you should expect if the desired performance objectives are not met.


The standard goals of the Contact Center are as follows:

Measure	Goal
Knowledge Check	85%
TSG Assessment	80%
Quality	80%
SER	78% (81%- prior to 11/13 for grade 15)

You will be given up to 30 days to improve your performance in these areas to the expected levels outlined above.

Area of Necessary Improvement	Performance Objective/How to Correct
<p>[REDACTED] has not consistently achieved the goal for Knowledge Checks, Assessments, Quality, and Service Experience as follows:</p> <p>Overall Technical/Product Job Knowledge</p> <p>Knowledge Check</p> <ul style="list-style-type: none"> <li>1<sup>st</sup> Quarter 2013 75%</li> <li>3<sup>rd</sup> Quarter 2013 65%</li> </ul>	<p>Weekly meetings to be held with your Supervisor to review use of department tools, systems and databases. Supervisor will monitor representative 3 times weekly to assess the representative's understanding, execution and communication of overall technical and product knowledge.</p>



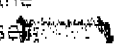
<b>TSG Assessment</b>		
• November 2013	60%	
• February 2014	60%	
<b>Quality</b>		Weekly meetings with Supervisor to review Quality monitors.
• June 2013	79%	
• July 2013	79.25%	
• Dec 2013	79.67%	
<b>Service Experience</b>		Weekly meetings with Supervisor to review Service Experience.
• Feb 2013	65.90%	
• March 2013	70.50%	
• April 2013	72.30%	
• May 2013	74.30%	
• June 2013	74.10%	

Knowledge Check March 2014 50%  
Quality 81.5%  
SER 88.7

#### Supervisory Assistance:

During this period, your Supervisor, *Claire Burnett*, met with you and reviewed three calls. Overall you did a good job troubleshooting on two of the calls. Your Supervisor did bring to your attention on one of your calls you should advise the customer what you can do to help them, rather than what you cannot do. This call became an escalation. When a call drops while you are escalating to a lead the lead should call the customer back. The ticket should be documented and placed in work in progress. We also reviewed your second QoS monitor. You should have verified the cell # you were sending the temporary password to, advised them that it expires in six hours and to create a password that is difficult for others to figure out use numbers and symbols.

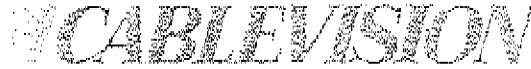
#### Supervisory Assistance:

During this period, your Supervisor, *Claire Burnett*, will meet with you *regularly* to assist you with the Performance Improvement Plan outlined above. Your manager, *John Gilantzis*, will also make himself  available to discuss any other matters that might arise in the normal course of business.

This Plan is designed to help improve your performance in the above stated areas within the next 30 days. If any of the above situations occur within this time period, if you are unable to improve and sustain improvement in the designated areas or if you engage in any conduct that violates the Company's Values/policies, (during this period and thereafter), you will be subject to further corrective action up to and including termination of your employment.

#### Acknowledgement:

I have read, discussed and understand the contents of the Action Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to improve in the designated areas,



to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including separation of my employment. My follow up meeting is scheduled 4/3/14.

Employee's Signature: \_\_\_\_\_

Date: 03-27-2014

Supervisor: \_\_\_\_\_

Glenn E. Burnett

Date: \_\_\_\_\_

3/27/14

# CABLEVISION

Date: 4/13/14  
Name: K. A.  
Date of Hire: 9/10/12  
Title: Technical Support Rep. I  
Grade: 13  
Supervisor/Manager: Claire Burnett/John Gilantzis  
Prior Corrective Action: None

## Statement of Concern:

On 3/18/14 we discussed the need for improvement in job knowledge, which is extremely important to the customer, the operation of the department, and the Company.

This Action Plan has been prepared to assist you in meeting the standards of your position. With your input, this plan will address the areas where we expect your performance to improve: the desired performance level; and what you should expect if the desired performance objectives are not met.

The standard goals of the Contact Center are as follows:

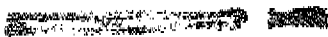
Measure	Goal
Knowledge Check	85%
TSG Assessment	80%
Quality	80%
SER	78% (81%- prior to 11/13 for grade 15)

You will be given up to 30 days to improve your performance in these areas to the expected levels outlined above.

Area of Necessary Improvement	Performance Objective/How to Correct
<p>[REDACTED] has not consistently achieved the goal for Knowledge Checks, Assessments, Quality, and Service Experience as follows:</p> <p>Overall Technical/Product Job Knowledge</p> <p>Knowledge Check</p> <ul style="list-style-type: none"><li>1<sup>st</sup> Quarter 2013 75%</li><li>3<sup>rd</sup> Quarter 2013 65%</li></ul>	<p>Weekly meetings to be held with your Supervisor to review use of department tools, systems and databases. Supervisor will monitor representative 3 times weekly to assess the representative's understanding, execution and communication of overall technical and product knowledge.</p>



# CABLEVISION

TSG Assessment		
• November 2013	60%	
• February 2014	60%	
Quality		Weekly meetings with Supervisor to review Quality monitors.
• June 2013	79%	
• July 2013	79.25%	
• Dec 2013	79.67%	
Service Experience		Weekly meetings with Supervisor to review Service Experience.
• Feb 2013	65.90%	
• March 2013	70.50%	
• April 2013	72.30%	
• May 2013	74.30%	
• June 2013	74.10%	


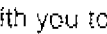
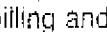
Knowledge Check March 2014 70%  
Quality 85%  
SER 91.22

## Supervisory Assistance:

During this period, your Supervisor, *Claire Burnett*, met with you and reviewed three calls. Overall you did a good job troubleshooting on your calls. Your Supervisor did bring to your attention on one of your calls you could have explained the dates of the partial service bill. However the customer did understand the bill after speaking with you. One call monitored for QoSD for April (85). On April 12, 2014 Supervisor Jason Cox spent time with you to review your knowledge check for April, showing you how he navigates our search sites for the answers to the questions you had difficulty finding. As well as an overview of how to search for answers going forward

Knowledge Check March 2014 60%  
Quality 82.67%  
SER 88.7

## Supervisory Assistance:

During this period, your Supervisor, *Claire Burnett*, met with you and reviewed three calls. Overall you did a good job troubleshooting on your calls. Your Supervisor did bring to your attention on one of your calls you should have thoroughly document the troubleshooting steps in determining a trouble call was warranted for the customer's router. Also in one of your calls you were very efficient and did a good job assisting the customer with connect to his home network. No QoSD monitor yet for April. On April 4, 2014 Lead A  K  listened to a few of your calls and provided feedback. A  also spent 45 minutes with you to review with you navigating our search sites and where to look for answers to technical questions, billing and Field Communications...



Knowledge Check March 2014 50%  
Quality 81.5%  
SER 88.7

**Supervisory Assistance:**

During this period, your Supervisor, *Claire Burnett*, met with you and reviewed three calls. Overall you did a good job troubleshooting on two of the calls. Your Supervisor did bring to your attention on one of your calls you should advise the customer what you can do to help them, rather than what you cannot do. This call became an escalation. When a call drops while you are escalating to a lead the lead should call the customer back. The ticket should be documented and placed in work in progress. We also reviewed your second QoS monitor. You should have verified the cell # you were sending the temporary password to, advised them that it expires in six hours and to create a password that is difficult for others to figure out use numbers and symbols.

**Supervisory Assistance:**

During this period, your Supervisor, *Claire Burnett*, will meet with you regularly to assist you with the Performance Improvement Plan outlined above. Your manager, *John Gilantzis*, will also make himself available to discuss any other matters that might arise in the normal course of business.

This Plan is designed to help improve your performance in the above stated areas within the next 30 days. If any of the above situations occur within this time period, if you are unable to improve and sustain improvement in the designated areas or if you engage in any conduct that violates the Company's Values/policies, (during this period and thereafter), you will be subject to further corrective action up to and including termination of your employment.

**Acknowledgement:**

I have read, discussed and understand the contents of the Action Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to improve in the designated areas, to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including separation of my employment. My follow up meeting is scheduled 4/19/14.

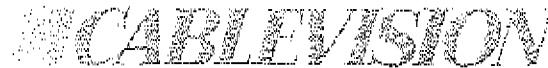
20

Employee's Signature: \_\_\_\_\_

Date: 4-13-2014

Supervisor: *Claire Burnett*

Date: 4/13/14



Date: 4/27/14  
Name: K. A.  
Date of Hire: 9/10/12  
Title: Technical Support Rep. I  
Grade: 13  
Supervisor/Manager: Claire Burnett/John Gilantzis  
Prior Corrective Action: None

**Statement of Concern:**

On 3/18/14 we discussed the need for improvement in job knowledge, which is extremely important to the customer, the operation of the department, and the Company.

This Action Plan has been prepared to assist you in meeting the standards of your position. With your input, this plan will address the areas where we expect your performance to improve; the desired performance level, and what you should expect if the desired performance objectives are not met.

The standard goals of the Contact Center are as follows:

Measure	Goal
Knowledge Check	85%
TSG Assessment	80%
Quality	80%
SER	78% (81%- prior to 11/13 for grade 13)

You will be given up to 30 days to improve your performance in these areas to the expected levels outlined above.

Area of Necessary Improvement	Performance Objective/How to Correct
<p>has not consistently achieved the goal for Knowledge Checks, Assessments, Quality, and Service Experience as follows:</p> <p>Overall Technical/Product Job Knowledge</p> <p>Knowledge Check</p> <ul style="list-style-type: none"><li>1<sup>st</sup> Quarter 2013 75%</li><li>3<sup>rd</sup> Quarter 2013 65%</li></ul>	<p>Weekly meetings to be held with your Supervisor to review use of department tools, systems and databases. Supervisor will monitor representative 3 times weekly to assess the representative's understanding, execution and communication of overall technical and product knowledge.</p>

# CABLEVISION

## TSG Assessment

- November 2013 60%
- February 2014 60%

~~XXXXXXXXXX~~

## Quality

- June 2013 79%
- July 2013 79.25%
- Dec 2013 79.67%

Weekly meetings with Supervisor to review Quality monitors.

## Service Experience

- Feb 2013 65.90%
- March 2013 70.50%
- April 2013 72.30%
- May 2013 74.30%
- June 2013 74.10%

Weekly meetings with Supervisor to review Service Experience

Knowledge Check April 2014 80%  
Quality 85%  
SER 102.17

## Supervisory Assistance:

During this period, your Supervisor, *Claire Burnett*, met with you and reviewed E3 calls. Overall you did a good job troubleshooting on your calls. Your Supervisor did bring to your attention the importance of actively listening and keeping the customer apprised of silences as you troubleshoot. On 4/17/14 Joseph was given time to go through and practice previous assessment to prepare for the April assessment. He took the assessment and the training closed 2 minutes prior to Joseph completing the test. Today I have Joseph working on a series of CC Scavenger hunts designed to help with the assessment.

Knowledge Check March 2014 70%  
Quality 85%  
SER 91.22

~~XXXXXX~~

## Supervisory Assistance:

During this period, your Supervisor, *Claire Burnett*, met with you and reviewed three calls. Overall you did a good job troubleshooting on your calls. Your Supervisor did bring to your attention on one of your calls you could have explained the dates of the partial service bill. However the customer did understand the bill after speaking with you. One call monitored for QoS for April (85). On April 12, 2014 Supervisor Jason Cox spent time with you to review your knowledge check for April, showing you how he navigates our search sites for the answers to the questions you had difficulty finding. As well as an overview of how to search for answers going forward.



Knowledge Check March 2014 60%  
Quality 82.67%  
SER 88.7

**Supervisory Assistance:**

During this period, your Supervisor, *Claire Burnett*, met with you and reviewed three calls. Overall you did a good job troubleshooting on your calls. Your Supervisor did bring to your attention on one of your calls you should have thoroughly document the troubleshooting steps in determining a trouble call was warranted for the customer's router. Also in one of your calls you were very efficient and did a good job assisting the customer with connect to his home network. No QoS monitor yet for April. On April 4, 2014 Lead Abraham Kwarteng listened to a few of your calls and provided feedback. Abraham also spent 45 minutes with you to review with you navigating our search sites and where to look for answers to technical questions, billing and Field Communications...

Knowledge Check March 2014 50%  
Quality 81.5%  
SER 88.7

**Supervisory Assistance:**

During this period, your Supervisor, *Claire Burnett*, met with you and reviewed three calls. Overall you did a good job troubleshooting on two of the calls. Your Supervisor did bring to your attention on one of your calls you should advise the customer what you can do to help them, rather than what you cannot do. This call became an escalation. When a call drops while you are escalating to a lead the lead should call the customer back. The ticket should be documented and placed in work in progress. We also reviewed your second QoS monitor. You should have verified the cell # you were sending the temporary password to, advised them that it expires in six hours and to create a password that is difficult for others to figure out use numbers and symbols.

**Supervisory Assistance:**

During this period, your Supervisor, *Claire Burnett*, will meet with you *regularly* to assist you with the Performance Improvement Plan outlined above. Your manager, *John Gilantzis*, will also make himself available to discuss any other matters that might arise in the normal course of business.

This Plan is designed to help improve your performance in the above stated areas within the next 30 days. If any of the above situations occur within this time period, if you are unable to improve and sustain improvement in the designated areas or if you engage in any conduct that violates the Company's Values/policies, (during this period and thereafter), you will be subject to further corrective action up to and including termination of your employment.

CABLEVISION

Acknowledgement:

I have read, discussed and understand the contents of the Action Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to improve in the designated areas, to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including separation of my employment. My follow up meeting is scheduled 4/19/14.

Employee's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

# **Exhibit A10**

## **GC-53**





Date: 8/11/14  
To: J [redacted] A [redacted]  
From: Syed Ali  
Re: Action Plan- Performance

**Statement of Concern:**

On 8/11/14 we discussed the need for improvement in your call handling efficiencies and quality performance, which is extremely important to the customer, the operation of the department, and the Company.

**Quality**

June 2014 - J [redacted] did not meet his monthly Quality goal. For the month his average was 78.34%.

July 2014 - J [redacted] did not meet his monthly Quality goal. For the month his average was 78.54%.

**Hold** -- Since January 2014, Jason has struggled with his use of Hold. His supervisors have had 4 discussions with J [redacted] with respect to his high Hold times since April 2014.

January 2014 - 80

February 2014 - 75

March 2014 - 82

April 2014 - 79

May 2014 - 80

June 2014 - 90

July 2014 - 87

Exh. No. 1 Received [initials] Rejected [initials]  
Case No. [redacted]  
Case Name: [redacted]  
No. Pgs: [redacted] Date: 8/11/14 Rep: [redacted]

This Action Plan has been prepared to assist you in meeting the standards of your position. With your input, this plan will address the areas where we expect your performance to improve; the desired performance level; and what you should expect if the desired performance objectives are not met.

You will be given up to 30 days to improve your performance in these areas to the expected levels outlined below.

Area of Necessary Improvement	Performance Objective/How to Correct
<u><b>Quality Goal/Results</b></u>	Weekly meetings to be held with your Supervisor to review use of department tools, systems and databases. Your Supervisor will monitor you a minimum of 4 times weekly to assess your understanding and execution of our quality call guidelines and overall customer service skills.
<u><b>Hold Goal/Results</b></u>	Weekly meetings to be held with your Supervisor to review your progress. Your Supervisor will monitor your use of Hold and provide feedback during the meetings.



**Supervisory Assistance:**

During this period,



- I will meet with you on a weekly basis to assist you with the Action Plan outlined above.
- I also will make myself available to discuss any other matters that might arise in the normal course of business.

This Plan is designed to help improve your performance in the above stated areas within the next 30 days. If any of the above situations occur within this time period, if you are unable to improve and sustain improvement in the designated areas or if you engage in any conduct that violates the Company's Values/policies, (during this period and thereafter), you will be subject to further corrective action up to and including termination of your employment.

**Acknowledgement:**

I have read, discussed and understand the contents of the Action Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to improve in the designated areas, to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including separation of my employment. My follow up meeting is scheduled 8/18/14.

Employee's Signature: \_\_\_\_\_

A signature that has been completely redacted with black ink.

Date: \_\_\_\_\_

8/11/14

Supervisor: \_\_\_\_\_

A handwritten signature in black ink.

Date: 8/11/14

The customer said she moved. J [REDACTED] could have asked where should moved from and then checked [REDACTED] Boost to see if there were any optimum Id's that she needed moved to her new account. If the answer was yes this may have required approval if the previous was in a different name.

To advance J [REDACTED] could have offered to wait while the customer move her equipment so when she gets off the phone the equipment is moved and he makes sure she has no signal issues that may have been caused in the move.

3:00 to 3:16 J [REDACTED] should listen very carefully so as not talk over the customer. 7:50 to 8:05.

Procedure and Information Accuracy - Call Handling - To advance J [REDACTED] should have advised of other support options such as Facebook, Twitter, Live and email support.

QA monitor 2 - Advance - good call overall. Verint - 9120810755160000411

Adaptive Personality - Customer Rapport - To advance J [REDACTED] should build a rapport with the customer and use the customer's name when ever possible through out the call. J [REDACTED] could also use empathy when ever possible through out the call.

Positive Language - To advance J [REDACTED] should use pleasantries through out the call.

J. A. - Action Plan Update

8/18/14

Prepared by TSG Supervisor Syed Ali

On April 18, 2014, TSG Supervisor James Starr met with J. P. to review the one week period from April 11 - April 18 for his overall technical/product knowledge, e3 quality scores, and call handling efficiencies. J. had two e3 monitors, and four action plan monitors completed during this period. He was rated as Advanced both of his e3 monitors, and all the calls with the areas of opportunities were reviewed with J.

#### Summary

##### Quality:

Overall J. consistently misses opportunities where empathy can be expressed. This occurs at the beginning of the calls, as well as other instances throughout the call. He also lacks call control at times and allows the customer to carry on the discussion by not responding promptly using verbal nods and assurance statements.

##### Hold:

We also discussed J. hold times. J. is moving in the right direction and has reduced his hold times significantly (MTD 48 seconds). We specifically reviewed a call from 8/17 in which he had multiple holds. After discussing the call, we realized there was a probing question J. could have asked the customer at the beginning of the call (is there another device we can use to test connectivity?), which would have prevented many of the holds during the call and which could have provided the customer a faster resolution.

##### Live Monitors:

call 1 @ 342 pm on 8/14/14 - At the end of the call, the customer expressed his gratitude. J. missed the opportunity to respond appropriately, by stating 'You're welcome, it was my pleasure, etc.'

Call 2 @ 346 pm on 8/14/14 - Good call overall, at the end of the call J. should display a little better call control by making a statement like, 'before I let you go, please hold for a brief survey based on my performance on this call.. have a great day'. This would not only ensure that the customer took the survey, but also was clear that it was based on J. performance on the call.

##### Verint Monitors:

Call Date 8/18/2014 1:50:47 PM

Verint Contact ID 9120923865090000411

-lack of pleasantries

##### e3 Monitors:

QA Monitor 1 - Good overall call (advance) Verint - 9120776667220010411

Adaptive Personality - Customer Rapport - 1:00 to 1:40, 3:40 to advance J. could have naturally used empathy to create a seamless repore with the customer. - J. should look for an opening and take control of the call.

To advance J. should use pleases and thank you naturally throug out the call. A good opportunity would be when the customer says thank you for taking by call. J. could have said you are welcome.

QoSD					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 8/17	≥Effective	Advanced	(PA)	[Redacted]	8/18
As of:	≥Effective			[Redacted]	
As of:	≥Effective				
As of: 9/8/14	≥Effective				
Month End	≥Effective				

Hold					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 8/17	≤ 40 Seconds	48 Seconds	(PA)	[Redacted]	8/18
As of:	≤ 40 Seconds			[Redacted]	
As of:	≤ 40 Seconds				
As of: 9/8/14	≤ 40 Seconds				
Month End	≤ 40 Seconds				

Jason should use pleases and thank yous throughout the call to advance.

3:10 during periods of silence J[REDACTED] could advised that if you use the computer we now have support options through Twitter, Facebook, Live and Email.

1:11 through out the call J[REDACTED] should advise what he is doing to resolve the customer's issue.

J[REDACTED] should use pleasantries throughout the call.

QoS					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 8/17	≥Effective	Advanced			
As of: 8/24	≥Effective	Advanced	Ⓢ	<del>XXXXXXXXXX</del>	8/25
As of:	≥Effective				
As of: 9/8/14	≥Effective				
Month End	≥Effective				

Hold					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 8/17	≤ 40 Seconds	48 Seconds			
As of: 8/24	≤ 40 Seconds	40 Seconds	Ⓢ	<del>XXXXXXXXXX</del>	8/25
As of:	≤ 40 Seconds				



J [REDACTED] A [REDACTED] - Action Plan Update

8/25/14

Prepared by TSG Supervisor Syed Ali

On August 25, 2014, TSG Supervisor Syed Ali met with J [REDACTED] A [REDACTED] to review the one week period from August 19 - August 25 for his overall technical/product knowledge, e3 quality scores, and call handling efficiencies. J [REDACTED] had one e3 monitor, and four action plan monitors completed during this period. He was rated as Effective on his e3 monitor, and all the calls with the areas of opportunities were reviewed with J [REDACTED].

#### Summary

##### Quality:

Overall J [REDACTED] consistently misses opportunities where empathy can be expressed. This occurs at the beginning of the calls, as well as other instances throughout the call. He also lacks call control at times and allows the customer to carry on the discussion by not responding promptly using verbal nods and assurance statements.

##### Hold:

We also discussed J [REDACTED] hold times. J [REDACTED] is moving in the right direction and has reduced his hold times significantly (MTD 40 seconds). I reminded J [REDACTED] to remain focused.

##### Action Plan Monitors:

###### Call 1

Call Date 8/21/2014 9:23:05 AM

Verint Contact ID 9120948178550000411

-Missing pleasantries (thank you)

-Missing verbal nods

###### Call 2

Call Date 8/22/2014 2:20:43 PM

Verint Contact ID 9120958604350010411

-Empathy missing

-J [REDACTED] was polite throughout the call

###### Call 3

Call Date 8/22/2014 3:17:07 PM

Verint Contact ID 9120958942750000411

-Polite, delayed responses, missing thank you's.

###### Call 4

Call Date 8/24/2014 9:04:03 AM

Verint Contact ID 9120973984310000411

-lack of pleasantries

-call control, introducing the survey at the end of the call

##### e3 Monitor:

QA Monitor Rd. 3 - Good overall call (Effective) Verint - 9120776667220010411

Adaptive Personality - Customer Rapport - To best adapt and connect with the customer J [REDACTED] should respond accordingly to the customer with words like sure and I understand.

As of: 9/8/14	≤ 40 Seconds				
Month End	≤ 40 Seconds				

J [REDACTED] A [REDACTED] – Action Plan Update

9/2/14

Prepared by TSG Supervisor Syed Ali

On September 2nd, 2014, TSG Supervisor Syed Ali met with J [REDACTED] A [REDACTED] to review the one week period from August 26 – September 1 for his overall technical/product knowledge, e3 quality scores, and call handling efficiencies. J [REDACTED] had one e3 monitor, and four action plan monitors completed during this period. He was rated as Novice on his e3 monitor, and all the calls with the areas of opportunities were reviewed with J [REDACTED]

**Summary**

**Quality:**

Overall J [REDACTED] consistently misses opportunities where empathy can be expressed. This occurs at the beginning of the calls, as well as other instances throughout the call. He also lacks call control at times and allows the customer to carry on the discussion by not responding promptly using verbal nods and assurance statements.

**Hold:**

We also discussed J [REDACTED] hold times. J [REDACTED] is moving in the right direction and has reduced his hold times significantly (MTD 40 seconds). I reminded J [REDACTED] to remain focused.

**Action Plan Monitors:**

**Call 1**

Call Date 8/28/2014

Verint Contact ID 9121009443600000411

- Good job of expressing empathy and assuring the customer of a resolution.
- Good call control
- Missed opportunity for pleasantries -- respond appropriately when the customer say thank you.

**Call 2**

Call Date 8/29/2014

Verint Contact ID 9121019423960000411

- Good job of incorporating information provided by the transferring representative.
- Empathy missing:
- J [REDACTED] was polite throughout the call.

**Call 3**

Call Date 8/31/2014

Verint Contact ID 9121035374260000411

- Empathy missing.
- Polite, delayed responses, missing thank you's.
- call control, introducing the survey at the end of the call

**Call 4**

Call Date 9/1/2014

Verint Contact ID 9121044795020000411

- Empathy missing.
- lack of pleasantries
- call control, introducing the survey at the end of the call

e3 Monitor:

QA Monitor Rd. 4 – (Novice) Verint - 9120991079620010411



Adaptive Personality - Customer Report. To advance J [REDACTED] should know the \* features seamlessly throughout the call.

To advance J [REDACTED] could have advised that once the customer gets the number to block she can do so online at optimum.net

To advance J [REDACTED] should advise through out the call what he is doing to resolve the customer's issue.

QoS					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 8/17	≥Effective	Advanced	[REDACTED]	[REDACTED]	8/24/15
As of: 8/24	≥Effective	Advanced			
As of: 8/31	≥Effective	Effective	(CA)	[REDACTED]	9/2
As of: 9/8/14	≥Effective				
Month End	≥Effective				

Hold					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 8/17	≤ 40 Seconds	48 Seconds			
As of: 8/24	≤ 40 Seconds	40 Seconds			

As of: 8/28	≤ 40 Seconds	39 Seconds	(S/R)		9/2
As of: 9/8/14	≤ 40 Seconds				
Month End	≤ 40 Seconds				

As of: 8/31	≥Effective	Effective			
As of: 9/8/14	≥Effective	Advance	SP		
Month End (August/2014)	≥Effective	Effective	SP		

*Hold*

Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 8/17	≤ 40 Seconds	48 Seconds			
As of: 8/24	≤ 40 Seconds	40 Seconds			
As of: 8/28	≤ 40 Seconds	39 Seconds			
As of: 9/8/14	≤ 40 Seconds	38 Seconds	SP		
Month End (August/2014)	≤ 40 Seconds	42 Seconds	SP		

J. Ali - Action Plan Update

9/9/14

Prepared by TSG Supervisor Syed Ali

On September 9th, 2014, TSG Supervisor Syed Ali met with J. Ali to review the one week period from September 3 - September 8 for his overall technical/product knowledge, e3 quality scores, and call handling efficiencies. J. Ali had one e3 monitor completed during this period. He was rated as Advance on his e3 monitor, the call, with the areas of opportunities was reviewed with J. Ali

### Summary

#### Quality:

Overall J. Ali consistently misses opportunities where empathy can be expressed. This occurs at the beginning of the calls, as well as other instances throughout the call. He also lacks call control at times and allows the customer to carry on the discussion by not responding promptly using verbal nods and assurance statements.

#### Hold:

We also discussed J. Ali's hold times. J. Ali is moving in the right direction and has reduced his hold times significantly - 42 seconds (Final August). I reminded J. Ali that using hold efficiently is a very important component of delivering great customer service.

With the opportunities during the period when this Action Plan was administered, J. Ali was still able to complete the plan successfully. He was reminded that he must continue to maintain satisfactory performance in the future.

#### e3 Monitor:

QA Monitor Rd. 1 - (Advance) Verint - 9121053853230000411

Adaptive Personality - Customer Rapport - To advance J. Ali should use natural empathy and call the customer by name naturally through out the call.

J. Ali should use more pleasantries through out the call.

To advance J. Ali should respond with no hesitation through out the call.

QoS					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 8/17	≥Effective	Advanced			
As of: 8/24	≥Effective	Advanced			



**CABLEVISION**

To: J. A. [REDACTED]  
From: Syed Ali/Antia Zummo  
Date: 4/12/15  
Re: Final Written Warning

039800

**Statement of Concern:**

As discussed, you are being given a *Final Warning* for mishandling the following customer accounts: [REDACTED]

Both customers proceeded to file

Corporate Complaints. This warning is intended to address this concern and what you should expect if this does not improve.

**Background:** Action Plan- 8/11/14- Performance

Previous communications with the employees about this issue:

- With customer [REDACTED] on 1/20/15, you failed to follow call handling procedures by keeping the customer on an extended hold for 3 minutes and 39 seconds without breaking it, and also by deferring accountability saying you needed to speak to a "Senior Lead because they have the magic hammer".
- With customer [REDACTED] also on 1/20/15, you did not address the current rate code issue with World Call and OV International Calling Plan 3 or place a test call with the customer to verify the service was working. Additionally, during this call you were indifferent on the call, which contained multiple holds and silences and you failed to empathize with the customer.

**Expectations:**

For each contact, it is expected that you fully review all account information to insure a correct diagnosis and relay of information, practice active listening, be responsive and empathetic on appropriate contacts. It is also expected that you conduct yourself in accordance with our company values. As outlined in the Employee Handbook on page 38, Cablevision encourages all employees to practice good telephone manners. This includes answering ringing telephones, speaking courteously and trying your best to assist the internal or external caller with his or her needs.

As a TSG Customer Service Representative you have an obligation to deliver an unparalleled service experience on every contact. The manner in which you handled these calls severely hampered that.

**Next steps:**

If you are unable to improve and sustain improvement in the designated areas, or you engage in any conduct that violates the company's policies during this period and thereafter, you will be subject to further corrective action up to and including termination of your employment.

**CABLEVISION**

Employee Comments:

J. A. [REDACTED]  
Employee Name

4/12/13  
Date

[REDACTED]  
Employee Signature

Auto Summs MGR  
4/12/15

cc: Personnel File/Human Resources

# **Exhibit A10**

## **GC-54**



TO: N [REDACTED] cc: Personnel File  
FROM: Gina Spaulding/Anthony Maharaj  
DATE: 03/14/14  
SUBJECT: Written Warning (Progressive)

As discussed, you are being given a Written Warning for absenteeism and poor reliability. This warning is intended to address this concern and what you should expect if this does not improve.

Background:

- 12/07/13 – Verbal Warning

When asked the reasons for the absenteeism, you stated your mother was sick and that you were taking care of her.

You were advised that if the situation warrants, the Disability and Human Resources Team is available to assist.

Specific examples:

Lateness:

01/20/14 – 9 minutes  
01/25/14 – 10 minutes  
02/03/14 – 8 minutes  
02/14/14 – 11 minutes  
03/01/14 – 11 minutes

Exh. No. 6254 Received ☒ Rejected ☐  
Case No.: \_\_\_\_\_  
Case Name: CCC  
No. Pgs: \_\_\_\_\_ Date: 4/28/15 Rep.: BO

In the meeting on 3/14/14 the importance of attendance in the Call Center and reporting to work on the days you are scheduled were emphasized. During the conversation you stated you would make the effort to improve. You were asked if there was anything your supervisor or the Company could do to assist and you declined these offers of assistance.

We expect that you will improve your attendance immediately. As outlined in the Employee Handbook on page 38 the Company has the right to expect an employee to arrive to work at their scheduled shift time. As a TSG Customer Service Representative, we have obligations to maintain FCC regulated ASA. Your inability to arrive at work as scheduled impacts that service record as well as our Value to provide exceptional customer service.

6254

JA0630

R0010191



Continued occurrences of the above-referenced issue or failure to comply with Company Values, policies or guidelines will result in further corrective action, up to and including the termination of your employment with Cablevision.



Employee Comments:

I promise to make more of an attempt to be on time  
My mother was sick for the last few months which has  
caused me to be late. She is better now so I will make  
an attempt to show up to work on time

3/14/14

Employee's Signature

Date

3/14/14

Manager's Signature

Date

**CORRECTIVE ACTION**  
**Verbal Warning - Absenteeism**

Date: 12/07/13  
Name: N [REDACTED] D [REDACTED]  
Hire Date: 11/13/12  
Length in Current Position: 1 year, 1 month  
Job Title/Grade: Rep I Tech Support/Grade 13  
Prior Corrective Actions: 06/10/13 - Attendance Conversation  
From: Anthony Maharaj/Gina Spaulding  
Schedule: Sunday, Monday, Friday, Saturday: 11:00 p.m. - 9:30 a.m.

As a follow-up to the Counseling Discussion on 06/10/13 this Verbal Warning outlines N [REDACTED] continued excessive absenteeism and poor reliability. Since the meeting with his supervisor on 06/10/13, N [REDACTED] called out Sick on 3 additional occasions, further exceeding his Sick available time accrual by 24 hours.

Sick/Personal:

11/15/13 10 hours (sick)

Late for Shift:

10/04/13 - 37 minutes  
10/14/13 - 8 minutes  
10/20/13 - 6 minutes  
10/27/13 - 12 minutes  
11/02/13 - 20 minutes  
11/03/13 - 9 minutes  
11/04/13 - 5 minutes  
11/24/13 - 7 minutes

When asked the reasons for the absenteeism, [REDACTED] stated that most of his lateness was due to his mother's health.

[REDACTED] was advised that if the situation warrants, the Disability and Human Resources Team is available to assist.

In the meeting on 12/07/13 the importance of attendance in the Call Center and reporting to work on the days he is scheduled was emphasized. During the conversation he stated he would make the effort to improve. [REDACTED] was asked if there was anything your supervisor or the Company could do it assist and he declined these offers of assistance.

We expect that [REDACTED] will improve his attendance immediately. As outlined in the Employee Handbook on page 38 the Company has the right to expect an employee to arrive to work at their scheduled shift time. As a TSG Customer Service Representative, we have obligations to maintain FCC regulated ASA. [REDACTED] inability to be at work as scheduled impacts that service record as well as our Value to provide exceptional customer service.

[REDACTED] [REDACTED]  
Any further infractions will lead to additional disciplinary action up to and including termination.

[Signature] 12/2/13  
Supervisor Date



# **Exhibit A10**

## **GC-55**

Performance Improvement Plan

Date: 08/16/13

Exh. No: 655 Received ☒ Rejected ☐

Name: M [redacted] H [redacted]

Case No.: \_\_\_\_\_

Hire Date: 02/25/13

Case Name: C = C

Job Title/Grade: Technical Support Rep. I/Grade 13

No. Pgs: \_\_\_\_\_ Date: 10/28/13 Rep: BC

From: Anthony Maharaj

The following Performance Improvement Plan has been prepared to assist you in meeting the standards of your position. You are currently not meeting the company standards for QoSD and SER. You will be given up to 60 days to improve your performance.

During this period, your supervisor will meet with you on a bi-weekly basis to assist you with the Performance Improvement Plan outlined below. Your supervisor will also make himself available to discuss any other matters that might arise in the normal course of business. The following areas listed below are in need of immediate improvement.

Problem	How to Correct	What Is Expected
<u>QoSD</u> 04/13 - 71.75% 05/13 - 72.6% 07/13 - 73.6% MTD - 78.5%	M [redacted] must accurately and thoroughly troubleshoot the customer issue by following the guidelines outlined in TSGNews and the KDB. In addition he must speak in a positive tone, with inflection and energy in his voice and engage during silences when needed. In addition, M [redacted] must complete the call by offering to transfer to the customer satisfaction survey.	Goal $\geq$ 80%
<u>SER</u> 03/13 - 77.2% 04/13 - 76.3% 05/13 - 71.4% 06/13 - 72% 07/13 - 69.9% MTD - 75.6%	M [redacted] must proactively announce the survey to every customer, and then transfer the call to the survey at the end of each call.	Goal $\geq$ 77%

This Plan is designed to help improve your performance in the above stated areas within the next 60 days. If any of the above situations occur within the next 60 days, if you are unable to improve and sustain improvement in the designated areas or if you engage in any conduct that violates the Company's Values/policies, (during this period and thereafter), you will be subject to further corrective action up to and including termination of your employment.

I have read, discussed and understand the contents of the Performance Improvement Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to

655

improve in the designated areas, to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including termination of my employment. My follow up meeting is scheduled for 08/30/13.

Employee \_\_\_\_\_ Date \_\_\_\_\_ Supervisor \_\_\_\_\_ Date \_\_\_\_\_

Manager \_\_\_\_\_ Date \_\_\_\_\_ Employee Relations Manager \_\_\_\_\_ Date \_\_\_\_\_

QoSD					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 08/30/13	≥80%				
As of: 09/13/13	≥80%				
As of: 09/27/13	≥80%				
As of: 10/11/13	≥80%				
Month end Aug. '13	≥80%				
Month end Sept. '13	≥80%				

## 60-Day Performance Improvement Plan

Seperated  
12/11/2013

**Name:** M. H.  
**Date:** 10/31/13  
**Date of Hire:** 02/25/13  
**Title:** Technical Support Rep I  
**Grade:** Grade 13  
**Supervisor/manager:** Anthony Maharaj/Gina Spaulding  
**Prior Corrective Action:** Verbal Warning Attendance

As you know, you have been coached regarding your performance on the following dates:

- 08/01/13 – QoSD/SER
- 08/08/13 – QoSD /SER
- 08/13/13 – SER
- 08/14/13 – QOSD
- 08/21/13 – QOSD
- 08/27/13 – SER
- 08/28/13 – QOSD
- 09/03/13 – QOSD
- 09/05/13 – QOSD
- 09/12/13 – QOSD/SER
- 09/18/13 – QOSD/SER

During these sessions, we discussed on how to make improvements and achieve the expected standard goals of the Contact Center that are as follows:

Measure	Goal
QoSD	80%
SER	77.4%

Since your performance continues to be deficient in this area the following Performance Improvement Plan has been prepared to assist you in meeting the standards of your position. You will be given up to *sixty* days to improve your performance in these areas to the expected levels outlined below.

During this period, your Supervisor, Anthony will meet with you *regularly* to assist you with the Performance Improvement Plan outlined below. Anthony also will make themselves available to discuss any other matters that might arise in the normal course of business. The following areas listed are in need of immediate improvement.

Measure	How to Correct	Goal
<p><b>QOSD</b></p> <p>M. H. has not consistently achieved the goal for Quality. His 2 month average is 75.18%, recorded as follows:</p> <ul style="list-style-type: none"> <li>July 2013 – 73.60%</li> <li>August 2013 – 76.75%</li> </ul>	<p>M. must accurately and thoroughly troubleshoot the customer issue by following the guidelines outlined in TSGNews and the KDB. In addition he should engage the customer during periods of silence, and actively express empathy and give assurance of help on every call. Supervisor will conduct "Side by Side" assessments.</p>	<p>M. is expected to meet the goal for QOSD which is 80%.</p>
<p><b>SER</b></p> <p>M. H. has not consistently achieved the goal for SER. His 2 month average is 71.45%, recorded as follows:</p> <ul style="list-style-type: none"> <li>July 2013 – 69.90%</li> <li>August 2013 – 73.00%</li> </ul>	<p>M. needs to make sure all calls are transferred to the survey and his top box scores improve as well. M. must slow down his closings to ensure all customers understand and expect to be transferred to a survey that is based on his performance.</p>	<p>M. is expected to meet the goal for SER which is 77.4%.</p>

This Plan is designed to help improve your performance in the above stated areas within the next *sixty* days. If any of the above situations occur within the next *sixty* days, if you are unable to improve and sustain improvement in the designated areas or if you engage in any conduct that violates the Company's Values/policies, (during this period and thereafter), you will be subject to further Corrective Action up to and including termination of your employment.

I have read, discussed and understand the contents of the Performance Improvement Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to improve in the designated areas, to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including termination of my employment. My follow up meeting is scheduled for August 29<sup>th</sup>.

QoSD					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 08/29/13	≥80%				
As of: 09/12/13	≥80%				
As of: 09/26/13	≥80%	82%			
As of: 10/10/13	≥80%	85%			

SER					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 08/29/13	≥77.4 %				
As of: 09/12/13	≥77.4 %				
As of: 09/26/13	≥77.4 %	74.2%			
As of: 10/10/13	≥77.4 %	73.5%			
As of: 10/22/13	≥77.4 %	76.5%			
As of: 10/31/13	≥77.4 %	73.6%			



On 10/31/13, M[REDACTED] and I met for his performance plan extension for SER. We discussed his MTD SER scores. MTD Marlon's SER average is 73.6% not meeting goals.

M[REDACTED] will continue to transfer all applicable calls to the survey. M[REDACTED] understands the importance of our customers taking the survey to rate his performance. M[REDACTED] advised he will make every effort to transfer every customer to the survey.

Employee's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

# **Exhibit A10**

## **GC-56**

**CABLEVISION**

071450

To: R [REDACTED] P [REDACTED]  
From: Valmiki Mohip/Gilbert Vega  
Date: March 12, 2015  
Re: Final Written Warning for Call Handling

As discussed, you are being placed on a Final Written Warning for not meeting the performance expectations of your role. This warning is intended to address the areas in which we expect your performance to improve; the desired performance level; and what you should expect if the desired performance objectives are not met.

**Background:**

**10/30/14: Verbal Warning for Attendance**

Over the last four months, you have received 3 customer complaints, two of which was escalated to Corporate. On 12/27/14, you received a call from [REDACTED] who was having issues with his on demand service. You initially attempted to troubleshoot with the customer by explaining that you needed to document every transaction on a Remedy ticket. The customer responded by stating "you guys are getting worse and worse". This resulted in an unnecessary exchange in which you made the following statements: "would you prefer we not document, that's a rhetorical question", "would you prefer we not document, that's a rhetorical question", "you're slowing me down a bit, just let me do my thing" and "obviously it's one of our boxes or you would not be calling us". In addition you chose to document the aforementioned Remedy ticket with the following "Really cv ballbreaking customer".

On 2/13/15, you received a call from [REDACTED] who asked to speak with the Billing department. You advised [REDACTED] that you would be able to assist and began to review his bill. The customer then complained about paying for Ultra 50 but not getting the advertised speed. He complained that he works late at night and that's when the issue occurs. You stated that you would request for his equipment to be monitored (set up an SRO). After updating the preferred contact list so the customer can get order confirmation e-mails as well as be advised of any planned maintenance/outages, the conversation turned back to the customer's bill. You kept telling the customer the cause for his high bill was because he did not make a full payment at some point. What the customer was inquiring about was the change to his monthly rate that changed in September. When the customer said you're not understanding you stated "I am understanding because it's black and white." You repeatedly spoke over the customer and also stated "I have to respectfully disagree", when the customer said the information you were giving was not accurate. Rocky was asked why by [REDACTED] why he could not tell him what his rate was for the specific month of September and he repeated that he has not made full payments.

On 3/06/15, you received a call from [REDACTED] who had issues with accessing Outlook. According to [REDACTED] you streamed her computer and a data file was deleted. This call was close to an hour long for issues that are outside our scope of support - you walked the customer through a JAVA update, which resulted in the original PST file being deleted. The customer "hung up in disgust" as you noted in your Remedy ticket.

**Expectations:**

It is expected that you conduct yourself in accordance with our company values. As outlined in the Employee Handbook on page 38 Cablevision encourages all employees to practice good telephone manners. This includes answering ringing telephones, speaking courteously and trying your best to assist the internal or external caller with his or her needs. As a TSG Customer Service Representative you have an obligation to deliver an unparalleled service experience on every contact. The manner in which you handled this call severely hampered that. In addition, page 42 states the

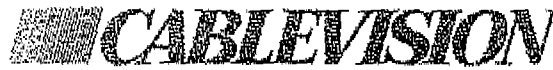
Exh. No. 650 Received ☒ Rejected ☐

Case No.: \_\_\_\_\_

Case Name: CSC

No. Pgs: \_\_\_\_\_ Date: 10/28/15 Rep.: BAW

650



following - Our employees are prohibited from using the Company's information and communications systems in a manner that is offensive, embarrassing or harmful to others or in a way that reduces productivity or interferes with regular work duties. Writing or sending e-mails or accessing Internet sites that contain sexually explicit, racial, or other offensive or inappropriate content or information that may be construed as harassing or embarrassing are also prohibited in the workplace. In essence, any statement or material that would be offensive or inappropriate or that you ordinarily would not put into a Company letter or memorandum should not be sent or stored on the Company's information and communications systems. Downloading or forwarding inappropriate material is also prohibited.

**Next steps:**

If you are unable to improve and sustain improvement in the designated areas or if further performance issues arise, you engage in any conduct that violates the company's policies, (during this period and thereafter), you will be subject to further corrective action up to and including termination of your employment.

**Employee Comments:**

*Resign comments at this time*

*[Redacted]* *3/12/15*

Employee Name Date

*[Redacted]*

Employee Signature

cc: Personnel File/Human Resources



Date: 6/11/2015

To: R [REDACTED] P [REDACTED]

From: Valmiki Mohip

Re: Action Plan - Adherence, AHT & Personal Time

#### Statement of Concern:

On 2/27/15, 3/22/15 and 4/17/15, we discussed the need for improvement in overall delivery to our customer base, which is extremely important to Cablevision and the operation of the department, as well as the self-included impact on your metrics yearly performance.

*R [REDACTED] has failed to meet the peer group established average in the area concerning AHT, Adherence and Personal Time for the months of February, March and April as indicated below.*

Since then, we have not identified sufficient improvement in these areas. Therefore, this Action Plan has been prepared to assist you in meeting the standards of your position. With your input, this plan will address the areas where we expect your performance to improve; the desired performance level; and what you should expect if the desired performance objectives are not met.

You will be given up to <30> days to improve your performance in these areas to the expected levels outlined below.

Area of Necessary Improvement		Performance Objective/How to Correct
<b>Adherence</b>  R [REDACTED] Peer Group Feb 88.2 93.0 Mar 89.0 93.0 Apr 91.7 92.9		The expectation is that R [REDACTED] will comply with the recommendations outlined to achieve an Adherence average at or above those of his Peer Group over the course of the next 30 days and going forward by: <ul style="list-style-type: none"> <li>Review schedule in Empower daily and sign off to breaks and lunch on time as scheduled.</li> <li>Supervisor to meet with you weekly to review your adherence and provide you with status updates.</li> </ul>
<b>AHT</b>  R [REDACTED] Peer Group Feb 810 633 Mar 1118 636 Apr 905 625		The expectation is that R [REDACTED] will comply with the recommendations outlined to achieve an AHT average at or above those of his Peer Group over the course of the next 30 days and going forward. Some suggestions for correcting: <ul style="list-style-type: none"> <li>Utilizing all reference material, systems and troubleshooting flows including but not limited to the KDB, TSGNews, IDA, and Remedy, efficiently and correctly handle all aspects of each incoming call.</li> <li>Your Supervisor will remote live monitor you a minimum of 5 times weekly to assess your understanding and execution of our call handling processes, troubleshooting steps and your ability to control your calls.</li> </ul>

CABLEVISION

Area of Necessary Improvement	Performance Objective/How to Correct												
<p><i>Personal Time%</i></p> <table><tr><td></td><td>R [REDACTED]</td><td>Peer Group</td></tr><tr><td>Feb</td><td>3.3</td><td>1.2</td></tr><tr><td>Mar</td><td>2.0</td><td>1.0</td></tr><tr><td>Apr</td><td>0.7</td><td>0.9</td></tr></table>		R [REDACTED]	Peer Group	Feb	3.3	1.2	Mar	2.0	1.0	Apr	0.7	0.9	<p>The expectation is that R [REDACTED] will comply with the recommendations outlined to achieve a Personal Time% average at or above those of his Peer Group over the course of the next 30 days and going forward by:</p> <ul style="list-style-type: none"><li>• Reducing or eliminating the use of Personal Time during schedule phone hours.</li><li>• Handling non-work related issues during break or lunch time.</li></ul>
	R [REDACTED]	Peer Group											
Feb	3.3	1.2											
Mar	2.0	1.0											
Apr	0.7	0.9											

**Supervisory Assistance:**

During this period,

- I will meet with you on an as-needed basis to assist you with the Action Plan outlined above.
- I also will make myself available to discuss any other matters that might arise in the normal course of business.

This Plan is designed to help improve your performance in the above stated areas within the next <30> days. If any of the above situations occur within this time period, if you are unable to improve and sustain improvement in the designated areas or if you engage in any conduct that violates the Company's Values/policies, (during this period and thereafter), you will be subject to further corrective action up to and including termination of your employment.

**Acknowledgement:**

I have read, discussed and understand the contents of the Action Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to improve in the designated areas, to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including separation of my employment. My follow up meeting is scheduled (6/18/2015).

Employee's Signature: [REDACTED]

Date: 6/11/15

Supervisor: [Signature]

Date: 6/11/15

# **Exhibit A10**

## **GC-57**



**CABLEVISION**

Date: 4/17/15  
To: K [REDACTED] Q [REDACTED]  
From: Charles Washington  
Re: Action Plan - Performance

Exh. No. GC57 Received ☒ Rejected ☐  
Case No.: \_\_\_\_\_  
Case Name: CSC  
No. Pgs: \_\_\_\_\_ Date: 4/29/15 Rep: PC

*Handwritten notes:*  
076528  
CSC  
4/29/15

**Statement of Concern:**

On 4/17/15 we discussed the need for improvement in your overall job knowledge, which is extremely important to the customer, the operation of the department, and the Company.

*October 3, 2014 - K [REDACTED] failed his New Hire Final Exam scoring 76%. Training permitted him to retake the test on October 24, 2014 and he passed the test the second time scoring 92%.*

*January 2015 - K [REDACTED] failed his January Knowledge Check scoring 80%*

*March 2015 - K [REDACTED] failed his March Knowledge check scoring 50%*

This Action Plan has been prepared to assist you in meeting the standards of your position. With your input, this plan will address the areas where we expect your performance to improve; the desired performance level; and what you should expect if the desired performance objectives are not met.

You will be given up to 30 days to improve your performance in these areas to the expected levels outlined below.

Area of Necessary Improvement	Performance Objective/How to Correct
Overall Job Knowledge/Knowledge Check Scores	Weekly meetings to be held with your Supervisor to review use of department tools, systems and databases. Your Supervisor will monitor you a minimum of 4 times weekly to assess your understanding and execution of our all department tools, systems and databases and overall customer service skills.  Following the completion of your April Knowledge Check, your Supervisor will meet with you to review all questions and answers from the test to insure you have a full understanding of the material covered on the exam.

**Supervisory Assistance:**

During this period,

- I will meet with you on a weekly basis to assist you with the Action Plan outlined above.
- I also will make myself available to discuss any other matters that might arise in the normal course of business.

*Handwritten:* GC57

## **CABLEVISION**

This Plan is designed to help improve your performance in the above stated areas within the next 30 days. If any of the above situations occur within this time period, if you are unable to improve and sustain improvement in the designated areas or if you engage in any conduct that violates the Company's Values/policies during

this period and thereafter), you will be subject to further corrective action up to and including termination of your employment.

### **Acknowledgement:**

I have read, discussed and understand the contents of the Action Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to improve in the designated areas, to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including separation of my employment. My follow up meeting is scheduled 4/24/15

Employee's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

Kason Quarles – Action Plan update  
May 4, 2015

Prepared by Charles Washington – TSG Supervisor

Today Kason and I met and reviewed his 4 call monitors that I conducted with him. Kason passed his QA scores based on his peer group average but he still has some areas for improvement. His scores were 72.00, 76.50, 83.75, and 82.50 for an average of 78.69%.

Kason continues to say “there” and “here” many times throughout the call. I have reiterated to him to try and replace that with the sub’s name to help build a rapport.

Kason troubleshooting was sound, but he failed to use ITT for Modem. Kason needs to use ITT for Modem on each OOL/OV related call. This is very important not only in troubleshooting but in keeping in compliance with his tools.

Kason did have a working knowledge of his tools, was able to multitask, and document his Remedy ticket during the call. However, to increase his chances of not getting a repeat, he should also offer self-help options such as Optimum.net, Channel 900, and/or the Optimum Support App.

I will follow-up with Kason on 5/11/15 for our 3<sup>rd</sup> week follow-up.

KC				Initials	
Date	Goal	Actual	Goal	Actual	Supervisor
As of: 04/25/15	≥77.2%	78.25%			
As of: 5/4/15	≥77.2%	78.69%			CW
As of:					
As of:					
As of:					
As of:					
As of:					

Previous Updates:

Week 1 – 4/25/15

K [REDACTED] Q [REDACTED] - Action Plan update

April 25, 2015

Prepared by Charles Washington - TSG Supervisor

Today K [REDACTED] and I met and reviewed his 4 call monitors that I conducted with him. K [REDACTED] passed his QA scores based on his peer group average but he still has some areas for improvement. His scores were 72.30, 83.50, 81.40, and 75.80 for an average of 78.25%.

I would like to see him build a better rapport by using the sub's name throughout the call. When he steps away from his desk he needs to use hold, as opposed to mute. Also when he uses hold he needs to ask for holding and thank upon return.

In terms of technical, he was sound. He used TSGNews when he was unsure of a procedure and if he couldn't find it in a timely manner he spoke to a lead. I have advised K [REDACTED] to use ITT for Modem for all OOL/OV troubleshooting to improve upon his efficiency. I look forward to working with K [REDACTED] next week and measuring his improvement.

KC				Initials		
Date	Goal	Actual	Goal	Actual	Supervisor	Representative
As of: 04/25/15	≥77.2%	78.25%			CW	[REDACTED]
As of:						
As of:						
As of:						
As of:						
As of:						
As of:						

Previous Updates:

N/A

Kason Quarles – Action Plan Update  
5/18/15  
Prepared by TSG Supervisor Charles Washington

On May 18, 2015, TSG Supervisor Charles Washington met with K [REDACTED] Q [REDACTED] to review the one week period from May 11<sup>th</sup> – May 18<sup>th</sup> for his overall job knowledge/knowledge check scores. During this period K [REDACTED] four call monitors were completed. K [REDACTED] received the following scores on the calls completed by me: 80.00 on the 1<sup>st</sup>, 83.50 on the 2<sup>nd</sup>, 81.00 on the 3<sup>rd</sup>, and 82.00 on the 4<sup>th</sup>. K [REDACTED] met expected performance with an average of 81.63 for the week. (Jericho Average: 73.7)

**Tools Required:**

ITT Modem – Did not Pass

Ping – Pass

IDA – Pass

Modem Poll – Pass

On the 1<sup>st</sup> call K [REDACTED] did a good job of building a solid report with the customer. He was able to multi-task well while still engaging with the customer. He used the sub's name multiple times throughout the call. I advised K [REDACTED] that he should be offering self-help options as well to try and prevent a possible report. He could have advised sub of the Optimum Support App and mentioned the alternate ways to contact us.

**Tools Required:**

TRiO – Pass

AST – Pass

Ping – Pass

Modem Poll – Pass

On the 2<sup>nd</sup> call sub advised he was unable to leave a voicemail greeting. K [REDACTED] correctly identified the fix using logical troubleshooting steps. He bounced the modem and had sub make multiple attempts to assure him that the voicemail greeting was working now. There was one point in the call where the sub asked K [REDACTED] "what should I press now" and K [REDACTED] overlooked that statement. I would like to see K [REDACTED] be attention throughout the whole call even if he is focused on the fix.

**Tools Required:**

TSGNews – Pass

On the 3<sup>rd</sup> call sub wanted to know if she would be able to call Spain. K [REDACTED] correctly looked up the international rates and advised sub it was 2 cents/minute to landlines. This was a short call but K [REDACTED] did have the opportunity to advise sub how she was able to check her minutes/usage on the Optimum.net website and he didn't do so. FCR is a critical stat and for him to improve his FCR, he must always give self-help options.

**Tools Required:**

AST – Pass

IDA – Pass

Today K████ and I met and reviewed his 4 call monitors that I conducted with him. K████ passed his QA scores based on his peer group average but he still has some areas for improvement. His scores were 72.30, 83.50, 81.40, and 75.80 for an average of 78.25%.

I would like to see him build a better rapport by using the sub's name throughout the call. When he steps away from his desk he needs to use hold, as opposed to mute. Also when he uses hold he needs to ask for holding and thank upon return.

In terms of technical, he was sound. He used TSGNews when he was unsure of a procedure and if he couldn't find it in a timely manner he spoke to a lead. I have advised K████ to use ITT for Modem for all OOL/OV troubleshooting to improve upon his efficiency. I look forward to working with K████ next week and measuring his improvement.

Knowledge Check

Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
May	≥85%	80%	CW	[REDACTED]	5/18/15
	≥85%				



On the 4<sup>th</sup> call sub called in to complain that she is getting spoof calls. K████ did not give any empathy statement for her trouble – I advised him he must give empathy and assurance of help on each call. K████ did correctly troubleshoot by offering the sub a new number or having her block her own number in AST. K████ verified CPNI and enabled the call block feature. K████ did advise of alternate contact methods to reach us. Again in this call K████ did not advise the sub of the Optimum.net website to manage her calls on her own. This is K████ biggest pain point and I would like to see him work on this area.

Overall K████ did a good job of identifying the issue and working quickly to get to the resolution. K████ has been using the sub's name more often in the call as opposed to say "there." I would like to see K████ improve his First Call Resolution by offering the sub self-help options when appropriate such as the Optimum Support App, the Optimum.net website and Channel 900.

There was only 1 call where K████ could have used ITT for Modem and he didn't use it. I would like to see K████ use this tool on every applicable contact.

K████ received an 80% on his May knowledge check.

I advised K████ we will be meeting again on 5/25/15.

QoSD					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 4/25/15	≥77.2%	78.25%			
As of: 5/4/15	≥77.2%	78.69%			
As of: 5/11/15	≥77.2%	80.50%			
As of: 5/18/15	≥73.7%	81.63%	CW	██████	5/18/15
Month End	≥80%				

his QA scores based on his peer group average but he still has some areas for improvement. His scores were 72.00, 76.50, 83.75, and 82.50 for an average of 78.69%.

Kason continues to say "there" and "here" many times throughout the call. I have reiterated to him to try and replace that with the sub's name to help build a rapport.

Kason's troubleshooting was sound, but he failed to use ITT for Modem. Kason needs to use ITT for Modem on each OOL/OV related call. This is very important not only in troubleshooting but in keeping in compliance with his tools.

Kason did working knowledge of his tools, was able to multitask, and documented his Remedy ticket during the call.

#### Week 1 - 4/25/15

Today Kason and I met and reviewed his 4 call monitors that I conducted with him. Kason passed his QA scores based on his peer group average but he still has some areas for improvement. His scores were 72.30, 83.50, 81.40, and 75.80 for an average of 78.25%.

I would like to see him build a better rapport by using the sub's name throughout the call. When he steps away from his desk he needs to use hold, as opposed to mute. Also when he uses hold he needs to ask for holding and thank upon return.

In terms of technical, he was sound. He used TSGNews when he was unsure of a procedure and if he couldn't find it in a timely manner he spoke to a lead. I have advised Kason to use ITT for Modem for all OOL/OV troubleshooting to improve upon his efficiency. I look forward to working with Kason next week and measuring his improvement.

K [REDACTED] Q [REDACTED] -- Action Plan update

May 11, 2015

Prepared by Charles Washington – TSG Supervisor

Today K [REDACTED] and I met and reviewed his 4 call monitors that I conducted with him. K [REDACTED] passed his QA scores based on his peer group average. His scores were 71.00, 83.25, 86.00, and 81.75 for an average of 80.50%. [REDACTED]

K [REDACTED] showed improvement in his calls. He still calls “there” and “here” many times during the call but he uses the sub’s name a number of times in the call. I have advised him to continue to do so because it will help build a rapport and will help his VoC scores. [REDACTED]

K [REDACTED] utilized KDB and TSG News for help before he got up and spoke to a Lead. He was able to multi-task during the call. I reminded K [REDACTED] to always give self-help tips to educate sub and prevent a possible repeat call. [REDACTED]

K [REDACTED] failed his May KC today scoring 80%. I reviewed the incorrect answers with K [REDACTED] and explained to him how to find the answer to each.

I will follow-up with K [REDACTED] on 5/18/15 for our 4th week follow-up.

QA		KC		Initials	
Date	Goal	Actual	Goal	Actual	Supervisor
As of: 04/25/15	≥77.2%	78.25%			
As of: 5/4/15	≥77.2%	78.69%			
As of: 5/11/15	≥77.2%	80.50%	≥85.0%	80%	CW [REDACTED]
As of:					
As of:					
As of:					
As of:					

#### Previous Updates:

##### Week 2 – 4/25/15

Today K [REDACTED] and I met and reviewed his 4 call monitors that I conducted with him. K [REDACTED] passed

# **Exhibit A10**

## **GC-58**

# CABLEVISION

Date: 3/13/14  
To: M [REDACTED] V [REDACTED]  
From: James Starr  
Re: Action Plan- Performance

Exh. No. 6058 Received ☒ Rejected ☐  
Case No.: \_\_\_\_\_  
Case Name: QCC  
No. Pgs: \_\_\_\_\_ Date: 3/24/15 Rep.: JS

## Statement of Concern:

On 3/13/14 we discussed the need for improvement in job knowledge, which is extremely important to the customer, the operation of the department, and the Company.

Availability - M [REDACTED] missed this goal in April 2013

Quality - M [REDACTED] missed this goal in July 2013

November 2013 - M [REDACTED] failed his Assessment

February 2014 - M [REDACTED] failed his Re-Assessment

Since then, we have not identified sufficient improvement in these areas. Therefore, this Action Plan has been prepared to assist you in meeting the standards of your position. With your input, this plan will address the areas where we expect your performance to improve: the desired performance level; and what you should expect if the desired performance objectives are not met.

You will be given up to 30 days to improve your performance in these areas to the expected levels outlined below.

Area of Necessary Improvement	Performance Objective/How to Correct
Overall Technical/Product Job Knowledge	Weekly meetings to be held with your Supervisor to review use of department tools, systems and databases. Your Supervisor will monitor you 3 times weekly to assess your understanding, execution and communication of overall technical and product knowledge.
Quality	Weekly meetings to be held with your Supervisor to review quality call guidelines and to review/coach back monitored calls.
Availability	Weekly meetings to be held with your Supervisor to review daily adherence to schedule.

## Supervisory Assistance:

During this period,

- I will meet with you on a weekly basis to assist you with the Action Plan outlined above.
- I also will make myself available to discuss any other matters that might arise in the normal course of business.

## **CABLEVISION**

This Plan is designed to help improve your performance in the above stated areas within the next 30 days. If any of the above situations occur within this time period, if you are unable to improve and sustain improvement in the designated areas or if you engage in any conduct that violates the Company's Values/policies, (during this period and thereafter), you will be subject to further corrective action up to and including termination of your employment.

### **Acknowledgement:**

I have read, discussed and understand the contents of the Action Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to improve in the designated areas, to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including separation of my employment. My follow up meeting is scheduled 3/20/14.

Employee's Signature: \_\_\_\_\_

Date: 3/13/14

Supervisor: \_\_\_\_\_

Date: 3/13/14

Availability					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of:	≥97%	99.64%	JS	PLJ	3/20
As of:	≥97%				
As of:	≥97%				
As of:	≥97%				
Month End	≥97%				

Coaching notes:

Coach/Supervisor	M. V.
Coaching Type	Action Plan
Date	Sat, 15 Mar 2014
Manager	Anita L Zummo
Supervisor	James P Starr
Employee	James P Starr
<p><b>Supervisor's Notes:</b></p> <p>Completed a side by side today with m. I listened to 3 calls between 4:30-5:30. I made the following observations and reviewed them with m:</p> <p><b>Tools:</b></p> <p>Provisioning - M. put the new mac address directly into seer, when dart updated the mac address was overwritten. I had to show M. how to find the mac address again so he did not have to ask the customer again.</p> <p>IBA - The customer advised M. that he had questions about billing. M. did not open IBA until the customer asked when he would be de-authorized. I advised M. that for better call flow IBA should be opened as soon as the customer indicates they have a billing issue. Also I needed to show M. where the de-authorized date was in IBA.</p> <p><b>Quality:</b></p> <p>Silences - M. did a good job filling silences but sometimes silences were filled by just repeating what he was doing. I discussed this with him and asked him what he could use instead to fill silences. M.</p>	

M [REDACTED] V [REDACTED] – Action Plan Update  
3/20/14  
Prepared by TSG Supervisor James Starr

On 3/15/14 a side by side was completed with M [REDACTED] (Connex coaching notes below). Several areas were discussed including quality and tool usage.

On March 20, 2014, TSG Supervisor James Starr met with M [REDACTED] V [REDACTED] to review the one week period from March 13<sup>th</sup> – March 20<sup>th</sup> for his tool usage, QoSD scores, and availability compliance. M [REDACTED] had four monitors completed during this period, one required monthly monitor, and three monitors for this Action Plan. He scored an 82 on the monthly monitor, 78 on the 1<sup>st</sup> action plan monitor, 82 on the 2<sup>nd</sup>, and 82 on his 3<sup>rd</sup> action plan monitor which met expected performance with an average of 81.

On the 1<sup>st</sup> call we discussed filling silences with pertinent information to the call, and summarizing the call to educate the customer on the issue to prevent a call back. On the 2<sup>nd</sup> call, we discussed the process for providing the customer with a managed router. I reminded M [REDACTED] that customers in Brooklyn are eligible for a free install. On the 3<sup>rd</sup> call we discussed being respectful of the customers and asking probing questions early in the call to come to a resolution. On the 4<sup>th</sup> call we discussed handling customer complaints and reviewing what options are available to the customer to keep the call as a stay where you are call.

Reviewed current availability rating of 99.69% with M [REDACTED] he has done a great job being available to assist customers at his scheduled times and is currently exceeding departmental goal.

M [REDACTED] has worked hard to improve but we discussed there still needs to be a strong focus on quality and customer experience. We will be meeting again on 3/27/14.

QoSD					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of:	≥80%	81%	J	[REDACTED]	3/20
As of:	≥80%				
As of:	≥80%				
As of:	≥80%				
Month End	≥80%				



advised probing questions. I advised M[REDACTED] that probing questions would be good to fill silences and also come to a conclusion on the overall issue. I as well advised that silences can be filled with customer education. I provided him the an example from his round 2 qosd score of 82, the customer had a managed router. I advised M[REDACTED] that in that case for example he could have educated the customer on the features of the router. M[REDACTED] advised that he understood and will look to fill silences with information pertenant to the call.

"No" - I observed that M[REDACTED] often said "No" when the customer may have mis herd him, for example M[REDACTED] asked the customer for the CMAC, the customer asked "EMAC?" and M[REDACTED] replied "No, CMAC". I asked M[REDACTED] what he could use besides "No". M[REDACTED] advised he could have said "Actually what I am looking for is the CMAC". I advised M[REDACTED] that would be an effective way to say the same thing without sounding negative. M[REDACTED] advised he will look to implement this going forward.

Gauging the Customers Understanding - I reviewed with M[REDACTED] that on the 3rd call I listened to the customer advised he did not know much about computers. I observed that M[REDACTED] provided the customer with many direct troubleshooting steps, such as "click my pictures" without advising the customer where this was. This caused the customer to become confused as to what he was supposed to be looking for. I advised M[REDACTED] that he needs to guage the customers feelings and understanding, I advised M[REDACTED] that if the customer seems like they have a good grasp of troubleshooting it may be ok to give direct steps. otherwise if the customer seems unsure he should look to provide detailed steps. As well, on Call 2 the customer said he was going through some rough times. M[REDACTED] stated to the customer "I apologize for any inconvenience" I asked M[REDACTED] what else could have stated that may have conveyed more empathy to the customer, M[REDACTED] was unsure of what he could say. I advised M[REDACTED] that he can use empathy to build a rapport with the customer such as "I am sorry to hear that but I will do everything i can to answer all your questions and walk you through your billing" M[REDACTED] advised he will try to incorporate more empathy to build a rapport with customers.

Active Listening - I observed that on call 3 the customer was looking for how to get his pictures out of webmail and saved on his computer, the customer advised he did not know where the files were going. M[REDACTED] tried to stream but the customers comptuer kept failing to load the file. M[REDACTED] tried to walk the customer through but was showing the customer how to attach a file to a new email rather than how to download the file out of webmail. I advised M[REDACTED] that he can look for keywords in what the customer needs done, and can use probing questions to clarify what the customer is looking for.

Tone - M[REDACTED] was far more upbeat with his tone that he has been on recent calls. He responded to customer pleasantries such as "how are you doing?" where in the past he would just go into the issue. I advised M[REDACTED] that I did see an improvement in this area, and he is utilizing a more friendly, upbeat and confident approach to the customers inquiry.

M[REDACTED] was very receptive to all the feedback and did not have any questions. I reminded him our next meeting is 3/20.

I discussed with M [REDACTED] that he will need to focus on the provided feedback as it has been observed multiple times since the start of this action plan. We will be meeting again on 4/3/14.

*QoSD*

Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 3/20/14	≥80%	81%		[REDACTED]	
As of: 3/27/14	≥80%	80%	SJ	[REDACTED]	3/27/14
As of:	≥80%				
As of:	≥80%				
Month End	≥80%				

*Availability*

Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 3/20/14	≥97%	99.69%			
As of: 3/27/14	≥97%	99.37%	SJ	[REDACTED]	3/27/14
As of:	≥97%				
As of:	≥97%				
Month End	≥97%				

M█████ V█████ – Action Plan Update

3/27/14

Prepared by TSG Supervisor James Starr

On March 27, 2014, TSG Supervisor James Starr met with M█████ V█████ to review the one week period from March 21<sup>st</sup> – March 27<sup>th</sup> for his tool usage, QoS scores, and availability compliance. M█████ had four monitors completed during this period, one required monthly monitor, and three monitors for this Action Plan. He scored a 78 on the monthly monitor, 87.25 on the 1<sup>st</sup> action plan monitor, 79 on the 2<sup>nd</sup>, and 78 on his 3<sup>rd</sup> action plan monitor which met expected performance with an average of 80 for the week. M█████ is currently at an 80 average overall since the start of this action plan.

On the 1<sup>st</sup> call we discussed proper usage of the TSG UI to diagnose issues, TSG UI was not documented and did show issues over the period the customer stated they were having issues. I reviewed with M█████ which calls require TSG UI, and reiterated the importance of utilizing this tool to ensure proper resolution. As well, I advised M█████ that this would fall under active listening which we have discussed previously. The customer in this case advised they were recently having trouble with their connection.

On the 2<sup>nd</sup> call, I advised M█████ that he did an excellent job building a rapport with the customer; he used multiple positive statements and praised the customer for her efforts in resolving the issue prior to calling. The customer at one point stated that M█████ was "awesome". I did discuss with M█████ that he needs to give a bit more information on why he is having certain steps performed, in this case M█████ abruptly advised that a technician was needed but did not give any reason why. I reminded M█████ that we have spoken about this before and in some cases it has caused confusion for customers as to what is going on with their issue.

On the 3<sup>rd</sup> call we discussed proper usage of hold time as there were very long silences on this call. As well, we discussed ensuring that the customers inquire was addressed. The number the customer requested is not documented, as well, the customer at the end of the call stated they wanted to keep the number working for now. M█████ agreed to this statement but the number had been disconnected several days before the call. I discussed with M█████ that even though he cannot talk about the other accounts status as he was not talking to the account holder, he set a false expectation by agreeing and not appearing to check on the numbers status.

On the 4<sup>th</sup> call we discussed that M█████ troubleshooting steps were not clearly defined. The customer was very confused on what would need to be done to resolve the issue. I reviewed with M█████ that explaining what a wireline is, and why he needed the customer to bypass may have cleared up some of the customers confusion. As well, customer was not sure what a modem was, more clarification on what the customer should be looking for may have helped. I reviewed with M█████ that this is something that we have discussed previously.

Reviewed recent lead side by side with M█████; I discussed with him that the same observations that I had made and reviewed with him during my side by side were observed. This included filling silences, active listening and being more descriptive with his troubleshooting steps.

Reviewed current availability rating of 99.37% with M█████, he has done a great job being available to assist customers at his scheduled times and is currently exceeding departmental goal.

QoSD					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 3/20/14	≥80%	81%			
As of: 3/27/14	≥80%	80%			
As of: 4/3/14	≥80%	80%	SS		4/13/14
As of:	≥80%				
Month End	≥80%				

Availability					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 3/20/14	≥97%	99.69%			
As of: 3/27/14	≥97%	99.37%			
As of: 3/31/14	≥97%	100.05%	SS		4/13/14
As of:	≥97%				
Month End	≥97%				

M█████ V█████ – Action Plan Update

4/3/14

Prepared by TSG Supervisor James Starr

On April 3, 2014, TSG Supervisor James Starr met with M█████ V█████ to review the one week period from March 27<sup>th</sup> – April 3<sup>rd</sup> for his tool usage, QoSD scores, and availability compliance. M█████ had three monitors completed during this period. He scored a 78 on the 1<sup>st</sup> action plan monitor, 78 on the 2<sup>nd</sup>, and 85 on his 3<sup>rd</sup> action plan monitor which met expected performance with an average of 80 for the week. M█████ is currently at an 80 average overall since the start of this action plan.

On the 1<sup>st</sup> call I discussed with M█████ the need to confirm resolution on the call to prevent the customer from having to call back. As well, I discussed with M█████ utilizing the account information for questions that can be answered without having to ask the customer. I reviewed with M█████ that on the call the customer advised they were at home, he did not have the customer go to the Optimum.net site to change the temp password but did advise of the 6 hour time limit. I advised M█████ that this may generate a call back if the customer has issues later on. As well, M█████ asked the customer if the cable box was an SA or a Samsung. The customer had 1 box which is listed as an SA. I advised M█████ that he can check his tools to try and find information without having to ask the customer.

On the 2<sup>nd</sup> call I discussed with M█████ that he was polling the wrong modem, as well, needs to focus on his active listening as we have discussed this several times. The customer mentioned a few times that the top 4 lights were solid and the tel 1 light was solid. This was not addressed and the customer was advised the modem was offline. As well, TSGUI indicated that the modem was online. A T/C was setup for NBS/NDT. In this case dial tone may have been restored temporally and a wireline to be setup.

On the 3<sup>rd</sup> call I advised M█████ that he did a good job handling the customers concern and did what he could to prevent a repeat call. I advised M█████ that to exceed the call he can try to build a rapport with the customer through small talk while resolving the issue, as well as providing customer education on what an ID allows them to do.

M█████ exceeded goal for availability at the end of March with 100.05%. I reminded M█████ that we are now in the 4<sup>th</sup> week of this action plan and there are still some concerns over active listening. I advised M█████ that it is critical that he focuses on this area for improvement. We will have our next meeting on 4/10/14.

QoSD					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 3/20/14	≥80%	81%			
As of: 3/27/14	≥80%	80%			
As of: 4/3/14	≥80%	80%			
As of: 4/10/14	≥80%	80%	SS		4/10/14
Month End	≥80%	80%	SS		4/10/14

Availability					
Date	Goal	Actual	Supervisor Initial	Employee Initial	Date Reviewed
As of: 3/20/14	≥97%	99.69%			
As of: 3/27/14	≥97%	99.37%			
As of: 3/31/14	≥97%	98.69%	SS		4/10/14
As of:	≥97%				
Month End	≥97%	98.69%	SS		4/10/14

M [REDACTED] V [REDACTED] - Action Plan Update  
4/10/14  
Prepared by TSG Supervisor James Starr

3/10/15  
9/15

On April 10, 2014, TSG Supervisor James Starr met with M [REDACTED] V [REDACTED] to review the one week period from April 3<sup>rd</sup> - April 10<sup>th</sup> for his tool usage, QoS scores, and availability compliance. M [REDACTED] had three monitors completed during this period. He scored an 85 on the 1<sup>st</sup> action plan monitor, 82 on the 2<sup>nd</sup>, and 82 on his 3<sup>rd</sup> action plan monitor which met expected performance with an average of 83 for the week. M [REDACTED] has now completed the action plan with an overall average of an 80.75 over the past four weeks. M [REDACTED] as well has met expectations for his availability as of 3/31.

On the 1<sup>st</sup> call I advised M [REDACTED] that he did a good job meeting the tone and had good interaction with the customer throughout the call. M [REDACTED] followed proper troubleshooting steps which resulted in a T/C being setup. The call was controlled and silences were filled with generic information. I advised M [REDACTED] that silence can be filled with educational information, or information pertinent to the customers issues to enhance the customer experience.

On the 2<sup>nd</sup> call I advised M [REDACTED] that he met expectations for interaction but interaction with the customer was minimal. I advised M [REDACTED] that there were long silences that affected the flow of the call. As well, I advised M [REDACTED] that stating to the customer "we own the number", with no information as to what that means caused confusion. I reminded M [REDACTED] that we have discussed this several times, and that he needs to be clear about the information he delivers to customers. Also, in this case I advised M [REDACTED] that he used jargon, such as move transfer which can also cause confusion.

On the 3<sup>rd</sup> call I advised M [REDACTED] that he met expectations for interactions, but, could show a higher sense of urgency in getting the customers issue resolved. I reviewed with M [REDACTED] that there were long silences to the point the customer stated "hello" to check if he was still there. I advised M [REDACTED] that to enhance the customer experience silence can be used to provide education or other pertinent information regarding the issue.

Overall M [REDACTED] has met expectation for quality, availability and tool usage to complete this action plan. I reminded M [REDACTED] that the goal is now for consistency in these areas. I reviewed with M [REDACTED] my concerns regarding his active listening and defining troubleshooting, as both of these were repeated discussions over the course of this action plan. I advised M [REDACTED] that I will continue to work closely with him to ensure constant improvement and consistency with his quality going forward.



# **Exhibit A10**

## **GC-59**



**CABLEVISION**

Date: 10/19/14

To: J [REDACTED] W [REDACTED]

From: Michael Nigro

Re: Action Plan - Performance & Attendance

**Statement of Concern:**

On 9/10/14 we discussed the need for improvement in job knowledge and attendance, which are extremely important to the customer, the operation of the department, and the Company.

**Performance/Job Knowledge**

January 2014 - J [REDACTED] failed his Knowledge Check, scored 80%

August 2014 - J [REDACTED] failed his Knowledge Check, scored 80%

October 2014 - J [REDACTED] failed his Knowledge Check, scored 50%

**Attendance**

9/17/14 - 30 minutes late from lunch

9/21/14 - 28 minutes late from lunch

9/24/14 - 8 minutes late from lunch

Total # of occurrences: 3

Total # of minutes used: 66

Exh. No. 659 Received ☒ Rejected ☐

Case No. 25C

Case Name: 25C

No. Pgs: 1 Date 10/27/14 Rep. 25C

Since then, we have not identified sufficient improvement in these areas. Therefore, this Action Plan has been prepared to assist you in meeting the standards of your position. With your input, this plan will address the areas where we expect your performance to improve; the desired performance level; and what you should expect if the desired performance objectives are not met.

You will be given up to 30 days to improve your performance in these areas to the expected levels outlined below.

<u><b>Area of Necessary Improvement</b></u>	<u><b>Performance Objective/How to Correct</b></u>
<b>Overall Technical/Product Job Knowledge</b>	<p>Weekly meetings to be held with your Supervisor to review use of department tools, systems and databases. Your Supervisor will monitor you 3 times weekly to assess your understanding, execution and communication of overall technical and product knowledge.</p> <p>Weekly side by side sessions with your Supervisor to assess your</p>

6C59

**CABLEVISION**

<i>Attendance</i>	<p>review of Field Comms and TSG Optimum Communication documents.</p> <p>Return from 30 minute lunch on time, Supervisor will review Director/RTA daily to ensure you are adhering to your assigned schedule.</p>
-------------------	---

**Supervisory Assistance:**

During this period,

- I will meet with you on a weekly basis to assist you with the Action Plan outlined above.
- I also will make myself available to discuss any other matters that might arise in the normal course of business.

This Plan is designed to help improve your performance in the above stated areas within the next 30 days. If any of the above situations occur within this time period, if you are unable to improve and sustain improvement in the designated areas or if you engage in any conduct that violates the Company's Values/policies, (during this period and thereafter), you will be subject to further corrective action up to and including termination of your employment.

**Acknowledgement:**

I have read, discussed and understand the contents of the Action Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to improve in the designated areas, to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including separation of my employment. My follow up meeting is scheduled 10/26/14.

Employee's Signature: \_\_\_\_\_

Date: 10/21/14

Supervisor: \_\_\_\_\_

Date: 10/21/14

**CABLEVISION**

To: J [REDACTED] W [REDACTED]  
From: Michael Nigro/Anita Zummo  
Date: 4/13/15  
Re: **Final Written Warning**

**Statement of concern:** As discussed, you are being given a Final Written Warning for failing to follow our CPNI process on 4/2/15 when speaking to customer Redacted account # Redacted. You failed to verify the customer's information, failed to confirm CPNI and gave out information regarding Optimum Voice phone numbers on the account and the timeframes in which they were active. This warning is intended to address this concern and what you should expect if this does not improve.

**Background:** Action Plan - 10/21/14 - Performance, Knowledge Check Failures & Attendance

**Previous communications with the employee about this issue:**

- CBT in Agility covering revised CPNI process completed on 12/31/14. The CPNI security procedure is in place to protect the customer and the privacy and integrity of their Cablevision account and services.

For each appropriate contact access available reference material, the CPNI Security Matrix and Steps, through the KDB or TSG News to confirm the correct CPNI process to follow. It is expected that you conduct yourself in accordance with our company values.

As outlined in the Employee Handbook on page 38 Cablevision encourages all employees to practice good telephone manners. This includes answering ringing telephones, speaking courteously and trying your best to assist the internal or external caller with his or her needs. As a TSG Customer Service Representative you have an obligation to deliver an unparalleled service experience on every contact. The manner in which you handled this call severely hampered that

**Next steps:**

If you are unable to improve and sustain improvement in the designated areas, or you engage in any conduct that violates the company's policies during this period and thereafter, you will be subject to further corrective action up to and including termination of your employment.

**Employee Comments:**

Employee Name

Date

Employee Signature

cc: Personnel File/Human Resources

# **Exhibit A10**

## **GC-60**

From: Gilbert Vega  
To: Francesca Prochazka  
Sent: 5/21/2015 8:32:20 AM  
Subject: Fw: Met with Dorothea.

Forgot to CC you.

---

From: Gilbert Vega  
Sent: Thursday, May 21, 2015 8:31:29 AM  
To: Yvette Panno  
Cc: John Tucci; Milton Lopera  
Subject: Fw: Met with Dorothea.

FYI...

---

From: Valmiki Mohip  
Sent: Thursday, May 21, 2015 2:01:17 AM  
To: Gilbert Vega  
Subject: Met with Dorothea.

Hi Gil,

I met with Dorothea tonight.

Dorothea mentioned to me that she is thinking about writing a follow up letter to Mr Dolan about certain issues that she spoke about with Yvette Panno and some issues she forgot in her letter. She did not go into detail.

She stated that she will most likely send it to Yvette and CC Mr Dolan.

She let me know that she had a very good conversation with Yvette but did not reveal much else except that she told Yvette that she felt psychologically terrorized.

She also mentioned that she complained to her about getting 2 flings of a wing while working during a FFV event.

-Val.

Exh. No. 6660 Received ☒ Rejected ☐

Case No.: \_\_\_\_\_

Case Name: CSC

No. Pgs. 1 Date 10/24/15 Rep.: PC

# **Exhibit A10**

## **GC-61**

From: Yvette Panno  
To: John Tucci; Francesca Prochazka  
Sent: 5/15/2015 7:16:50 AM  
Subject: RE: Action Requested: TSR Johnny Williams: Substandard Performance/RI

Thanks let's also discuss Dorothea. . .

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: John Tucci <JTUCCI@cablevision.com>  
Date: 05/15/2015 6:36 AM (GMT-05:00)  
To: Yvette Panno <YPANNO@cablevision.com>, Francesca Prochazka <PROCHAZKAF@cablevision.com>  
Subject: Re: Action Requested: TSR Johnny Williams: Substandard Performance/RI

I will send as soon as I get in.

---

From: Yvette Panno  
Sent: Thursday, May 14, 2015 6:48 PM  
To: Francesca Prochazka; John Tucci  
Subject: RE: Action Requested: TSR Johnny Williams: Substandard Performance/RI

CPNI procedures

John,

Can you please send me this CPNI policy?

Thanks,

Yvette

Exp. No. 6061 Received ☒ Rejected ☐  
Case No. \_\_\_\_\_  
Case Rep. CSC  
No. Pgs. 1 Date 5/29/15 Rep. AE

Redacted

# **Exhibit A10**

## **GC-62**



From: Milton Lopera  
To: C'Vonne Smith; Gina Spaulding; Gilbert Vega  
CC: John Tucci; Francesca Prochazka  
Sent: 5/12/2015 10:52:34 AM  
Subject: Fwd: Overtime for Mayweather 5-2-15

Gina/Gil - Please read DP's email to C'Vonne.....were you aware of the issues that she raises regarding the "last event"?

C'Vonne how did you respond to her?

Sent from my iPad

Begin forwarded message:

From: Yvette Panno <YPANNO@cablevision.com<mailto:YPANNO@cablevision.com>>  
Date: May 11, 2015 at 5:13:15 PM EDT  
To: Milton Lopera <MLOPERA@cablevision.com<mailto:MLOPERA@cablevision.com>>, John Tucci <JTUCCI@cablevision.com<mailto:JTUCCI@cablevision.com>>  
Subject: FW: Overtime for Mayweather 5-2-15

fyi

From: Dorothea Perry  
Sent: Monday, April 27, 2015 12:52 AM  
To: C'Vonne Smith  
Cc: Valmiki Mohip  
Subject: Re: Overtime for Mayweather 5-2-15

I understand food will be provided for the Super fight (event), which is an event that could generate 1 billion dollars. Can you please make sure Cablevision orders enough food so that managers are not forced to offer people 2 wing flings. During the last event I was given 2 wing flings and told "to come back later, maybe I could have more". It was insulting to be treated like I was impoverished and begging. It was as if someone gave you 2 potato chips, or I should say a chip out of a bag" If Cablevision can not afford to feed the staff, they should not offer food at all.

I'd rather bring my own brown bag than be offered a wing fling.

From: C'Vonne Smith  
Sent: Friday, April 17, 2015 12:34 PM  
To: TSG-Jericho  
Cc: Brenda Kidd  
Subject: Overtime for Mayweather 5-2-15

Exh. No. 62 Received ☒ Rejected ☐

Case No.: \_\_\_\_\_

Case Name: CSC

No. Pgs: 1 Date: 5/24/15 Rep: AC

Team,  
Anyone scheduled off Saturday May 2nd that wishes to work a full 16 hrs (or any timeframe) may email Central Traffic to add the overtime in EWFM. Thanks all for your help..  
Regards,  
CS

# **Exhibit A10**

## **GC-63**

From: Yvette Panno  
To: John Tucci; Milton Lopera  
Sent: 5/12/2015 4:50:13 PM  
Subject: FW: Just spoke with Val....  
Attachments: image001.jpg

FYI

From: Francesca Prochazka  
Sent: Tuesday, May 12, 2015 4:39 PM  
To: Yvette Panno  
Subject: Just spoke with Val.....

Hi Yvette,

I just called Val at home, and spoke with him regarding Dorothea. He did share that Dorothea does often complain that she is going to reach out to Mr. Dolan, so he tends not to take her too seriously. Val stated that he never tells her not to write a letter, but explain that if she has a concerns she should feel free to escalate them to him or the TSG Management team. Val confirmed that Dorothea did mention yesterday that she "may" write another letter. I did share with Val that he should always bring issues like this up to myself or his Manager immediately.

I also asked what issues Dorothea was concerned about, and Val stated NPS and Gynesis sign on. Val shared that he has explained NPS to Dorothea many times, but she still is concerned. In addition, he encouraged her to visit Shane at one of his "Ask NPS" Sessions in the break room. Val also stated that in regard to Gynesis, he has gone over with Dorothea that there is log in window. He will be arriving tonight at 5:30pm, to speak further.

Thanks,

Francesca Prochazka  
Manager, Human Resources - Contact Center TSG Jericho  
Cablevision Systems Corporation | 200 Jericho Quadrangle | 3rd Floor | Jericho, NY 11753  
Phone: 516-803-0699 | cell#: 516-813-7555 | Fax: 516-803- 0570 | Email:  
prochazkaf@cablevision.com<mailto:prochazkaf@cablevision.com>

[Orange green Opt logo 2012]

Exh. No: 003 Received        Rejected         
Case No.:         
Case Name:         
No. Pgs: 1 Date: 5/15/15 Rep.:

From: Milton Lopera  
To: John Tucci  
Sent: 6/8/2015 10:49:36 AM  
Subject: RE: Action Requested: Dorothea Perry Talking Points: Confidential

I've spoken to the lady for about 30 seconds in my career here.

From: John Tucci  
Sent: Monday, June 08, 2015 10:44 AM  
To: Milton Lopera  
Subject: RE: Action Requested: Dorothea Perry Talking Points: Confidential

I spoke with Yvette and Francesca. Any issues with me being present? Did you have any dealings with her that you feel you would need to be present (Yvette asked me to ask you). I can certainly handle.

From: Milton Lopera  
Sent: Monday, June 08, 2015 9:40 AM  
To: John Tucci  
Subject: FW: Action Requested: Dorothea Perry Talking Points: Confidential

Did you get a chance to review and respond to this email? Not sure if you replied directly to her or not.

From: Yvette Panno  
Sent: Friday, June 05, 2015 6:00 PM  
To: Milton Lopera; John Tucci; Francesca Prochazka  
Cc: Jeanette Torres; Rochelle Noel; Monte Jiran III  
Subject: Action Requested: Dorothea Perry Talking Points: Confidential

Exh. No. 266 Received 1 Rejected 0  
Case No.: 051  
Case Name: 051  
No. Pgs: 1 Date: 6/24/15 Rep: ALM

Redacted

# **Exhibit A10**

## **GC-64**

From: Samantha Capel  
To: Francesca Prochazka  
Sent: 5/19/2015 1:13:52 PM  
Subject: RE: Survey Results Meetings- attendance  
Attachments: image001.jpg

Hello Ms Prochazka,

After looking through the sign in sheets, I do not see her name. I know she works nights and we did cancel quite a few of them for the 11pm time frame. He was only able to complete 1 night focus group.

Thanks,  
Sam

From: Francesca Prochazka  
Sent: Tuesday, May 19, 2015 12:56 PM  
To: Samantha Capel  
Subject: Survey Results Meetings- attendance

Hi Samantha,

When you have a moment, can you please confirm for me if Dorothea Perry attended the Survey Results Meetings that Milton conducted a few month back?

Thanks so much,

Francesca Prochazka  
Manager, Human Resources - Contact Center TSG Jericho  
Cablevision Systems Corporation | 200 Jericho Quadrangle | 3rd Floor | Jericho, NY 11753  
Phone: 516-803-0699 | cell#: 516-813-7555 | Fax: 516-803- 0670 | Email:  
prochazkaf@cablevision.com<mailto:prochazkaf@cablevision.com>

[Orange green Opt logo 2012]

6664  
Ext: 6664 Received ☒ Rejected ☐

Date: \_\_\_\_\_

Time: CSC

Date: 5/29/15 Rep: BGM

JA0684

R0000831

# **Exhibit A10**

## **GC-65**

SUPREME COURT OF THE STATE OF NEW YORK  
NEW YORK COUNTY - - PART 57

DOROTHEA PERRY and ROBERT GROSS,

Index No.: 600064/03

*Plaintiff(s),*

*against*

DECISION/ORDER

NEW YORK LAW SCHOOL and  
COLLEGIS, INC.,

*Defendant(s),*

Present: HON. MARCY FRIEDMAN  
Justice, Supreme Court

In this action, plaintiffs Dorothea Perry ("Perry") and Robert Gross ("Gross") sue to recover damages for alleged unlawful employment termination, alleging that: 1) defendants Collegis, Inc. ("Collegis") and New York Law School ("NYLS") retaliated against them in violation of Section 8-107(7) of the Administrative Code of the City of New York ("New York City Human Rights Law" or "HRL"); and 2) defendant NYLS tortiously interfered with the employment relationship between plaintiffs and Collegis. Defendant Collegis brings this pre-answer motion to dismiss, pursuant to CPLR 3211(a)(7), for failure to state a cause of action.

It is undisputed that plaintiffs were employed by defendant Collegis as technical support staff at NYLS until their termination in October 2002. The complaint alleges that on June 3, 2002, in the course of backing up a NYLS professor's computer, plaintiff Gross found child pornography on the computer and reported it to plaintiff Perry. After observing the pornography, Perry then reported it to the executive director of Collegis. The professor was subsequently arrested on charges related to possession of pornography. The complaint further alleges that "[c]hild pornography in the workplace is forbidden by the Human Rights Law" (Complaint, ¶ 48), and that plaintiffs were disciplined and terminated shortly after they reported finding child

Exh. No: BCCS Received / Rejected \_\_\_\_\_  
Case No.: \_\_\_\_\_  
Case Name: CSC  
No. Pgs: 3 Date: 10/19/15 Rep.: BF



pornography on the professor's computer.

The New York City Human Rights Law prohibits discrimination in the "terms, conditions or privileges of employment" based on "the actual or perceived age, race, creed, color, national origin, gender, disability, marital status, sexual orientation or alienage or citizenship status of any person." (Admin. Code § 8-107[1][a].) The HRL also provides that "[i]t shall be an unlawful discriminatory practice for any person engaged in any activity to which this chapter applies to retaliate or discriminate in any manner against any person because such person has (i) opposed any practice forbidden under this chapter." (Admin. Code § 8-107[7].)

"[T]he Federal civil rights statute proscribing retaliation (42 USC § 2000e-3 [a]) and Administrative Code § 8-107 (7) are virtually identical, and we may accordingly look to Federal cases for a description of the elements of unlawful retaliation. Thus, to establish a prima facie case of retaliation a complainant must prove (1) participation in protected activity known to the alleged retaliator, (2) an employment action disadvantaging the person engaged in the protected activity, and (3) a causal connection between the protected activity and the adverse employment action." (Matter of Pace Univ. v NYC Comm'n on Human Rights, 200 AD2d 173, 182-183 [1<sup>st</sup> Dept 1994], rev'd on other grounds 85 NY2d 125 [1995][citations omitted].) " '[P]rotected activity' refers to action taken to protest or oppose statutorily prohibited discrimination." (Cruz v Coach Stores, Inc., 202 F3d 560, 566 2d Cir 2000.) That is, "plaintiff must set forth facts which would support a finding that he was retaliated against for complaining about a type of

---

<sup>1</sup>In general, the standards for recovery in employment discrimination cases brought under the New York State and New York City Human Rights Laws are the same as those established for cases brought pursuant to Title VII of the federal statute. (See Mittl v New York State Div. of Human Rights, 2003 NY LEXIS 1313 [Ct App 2003]; Ferrante v American Lung Assn., 90 NY2d 623 [1997]; Landwehr v Grey Adv. Inc., 211 AD2d 583 [1<sup>st</sup> Dept 1995]; Washington v National R.R. Passenger Corp., 2003 US Dist LEXIS 9477 [SD NY 2003][retaliation claim].)

discrimination made unlawful by those statutes.” (*Silva v Advocacy Ctr.*, 2003 US App LEXIS 6353 [2d Cir 2003]. See *Galdieri-Ambrosini v National Realty & Dev. Corp.*, 136 F3d 276,292 [2d Cir 1998].) However, “if the conduct complained of by the plaintiff had nothing to do with ~~race, color,~~ religion, sex, or national origin, an action cannot be maintained under ‘Title VII’ or the HRL. (*Santucci v Veneman*, 2002 US Dist LEXIS 19032 at \*9 [SD NY 2002])[emphasis in original].)

In their complaint, plaintiffs fail to allege discriminatory conduct necessary to support a claim under the HRL. Plaintiffs’ allegation of “child pornography in the workplace” does not allege discrimination made unlawful by the HRL, and therefore is facially insufficient to state a violation of the HRL.

In opposition to the motion, plaintiffs submit affidavits in which they appear to make the claim, not pleaded in the complaint or supported by any new facts, that the pornography they encountered created a hostile work environment, and that they were retaliated against for complaining about this hostile work environment. On a motion to dismiss, the court may consider a plaintiff’s opposing affidavits to amplify the pleadings. (*Rovello v Orofino Realty Co.*, 40 NY2d 633,635 [1976]; *Eastern Consol. Prop., Inc. v Lucas*, 285 AD2d 421,422 [1<sup>st</sup> Dept 2001].) Here, however, even if all of the allegations of the complaint are deemed true and are given every favorable inference, plaintiffs’ affidavits are patently insufficient to support a cause of action for employment discrimination under the HRL.

To prevail on a claim of a hostile work environment, a plaintiff must show that the “workplace is permeated with ‘discriminatory intimidation, ridicule, and insult,’ \* \* \* that is ‘sufficiently severe or pervasive to alter the conditions of the victim’s employment and create an abusive working environment’.” (*Harris v Forklift Sys., Inc.*, 1510 US 17,22 [1993])[quoting

Meritor Sav. Bank v. Vinson, 477 US 57, 67 [1986].) “[W]hether an environment is ‘hostile’ or ‘abusive’ can be determined only by looking at all the circumstances. These may include the frequency of the discriminatory conduct; its severity; whether it is physically threatening or humiliating, or a mere offensive utterance; and whether it unreasonably interferes with an employee’s work performance.” (Harris, 510 US at 23.)

Generally, to be actionable, “[t]he incidents [of harassment] must be repeated and continuous; isolated acts or occasional episodes will not merit relief.” (Kotcher v. Rosa and Sullivan Appliance Ctr., 957 F2d 59, 62 [2d Cir 1992]. Only if the alleged conduct is “extraordinarily severe” will a single incident of harassment create a hostile environment. (See Clark County School Dist. v. Breeden, 532 US 268 [2001]; Cruz, 202 F3d at 570; Tomka v. Seiler Corp., 66 F3d 1295, 1305 [2d Cir 1995])[a single incident of sexual assault can create a hostile work environment].)

In this case, plaintiffs fail to allege the elements of a hostile work environment. Plaintiffs claim that they were exposed on one occasion to pornography which they found while working on a NYLS professor’s computer. The pornography was not openly displayed, or intended for them to see. Rather, it was apparently purposefully hidden in a file within a file on the professor’s computer. Plaintiffs do not allege that this discovery by itself altered the conditions of their employment, or that it constituted sex-based discrimination against them. Moreover, plaintiffs do not allege that defendants knew about the computer pornography. Thus, plaintiffs’ allegation of a single instance of exposure to the computer-based pornography is insufficient to state a prima facie claim of hostile work environment.<sup>2</sup>

---

<sup>2</sup>In view of this finding, the court need not reach the issue of whether the conduct which created the hostile work environment can be imputed to the employer. (See Kotcher, 957 F2d at 63.)

Nor may plaintiffs avoid dismissal of their retaliation claim based on their allegation that they had a good faith belief that the conduct they protested – child pornography in the workplace – constituted unlawful discrimination under the HRL. To make out a claim for retaliation, a “plaintiff need not establish that the conduct he opposed was in fact a violation of [the HRL]. However, the plaintiff must demonstrate a ‘good faith, reasonable belief that the underlying challenged actions of the employer violated the [anti-discrimination] law’.” (Manoharan v. Columbia Univ. Coll. of Physicians and Surgeons, 842 F2d 590, 593 [2d Cir 1988]. See McMenemy v City of Rochester, 241 F3d 279 [2d Cir 2001]; Quinn v Green Tree Credit Corp., 159 F3d 759 [2d Cir 1998].)

Here, plaintiffs submit wholly conclusory affidavits asserting their “good faith belief that the child pornography I was subjected to at New York Law School (“NYLS”) constituted a violation of the employment discrimination laws.” (Perry Aff., ¶ 2; Gross Aff., ¶ 2.) These affidavits are insufficient to support the claim that a “reasonable person” could have believed that the single incident at issue violated the HRL. (Cf. Clark County School Dist., 532 US at 271.) Plaintiffs do not allege that they complained that the professor’s conduct violated the Human Rights Law. Moreover, while plaintiffs allege that they complained to their supervisor, the FBI and the District Attorney that the professor’s activities were criminal (Complaint, ¶¶ 27, 35), they do not allege that they filed a complaint with the New York City Human Rights Commission or any other body charged with enforcing anti-discrimination laws. (Compare Quinn, 159 F3d at 769.) Plaintiffs also do not claim that defendants should have known about the pornography, condoned it or did not take prompt remedial action to remove it. In short, plaintiffs do not allege any of the kinds of acts that would supply an evidentiary basis for their assertion that they believed they were opposing a discriminatory practice. (See Cruz, 202 F3d at 566.)

The court recognizes that plaintiffs suffered a considerable loss when they were terminated from their long-term employment with Collegis. That they were terminated shortly after they reported finding child pornography, and despite unblemished employment records, raises a substantial question as to whether defendants were fired for reporting the professor's allegedly criminal activity. However laudable defendants' conduct may have been, reporting the criminal activity at issue is not a protected activity under the HRL. (See Nicastro v Runyon, 60 F Supp 181, 185 [SD NY 1999][reporting a work rule violation is laudable but not protected activity under Title VII]; Santucci, 2002 US Dist LEXIS 19032 at \*9 - 11 [whistleblowing is not protected activity under Title VII].) Plaintiffs' remedy, if any, thus does not lie under that statute.

Accordingly, the motion is granted to the extent that it is

ORDERED that the first cause of action is dismissed in its entirety; and it is further

ORDERED that the second cause of action is severed and shall continue.

The parties are directed to appear for a preliminary conference in Part 57 (Room 328, 80 Centre Street) on December 4, 2003, at 11:30 a.m.

This constitutes the decision and order of the court.

Dated: New York, New York  
October 31, 2003

  
MARCY FRIEDMAN, J.S.C.

# **Exhibit A10**

## **GC-66**



Robert E. Beloten  
Chair

STATE OF NEW YORK  
WORKERS' COMPENSATION BOARD  
PO BOX 5205  
BINGHAMTON, NY 13902-5205  
[www.wcb.state.ny.us](http://www.wcb.state.ny.us)  
(800) 877-1373

State of New York - Workers' Compensation Board

In regard to Dorothea Perry, WCB Case #G030 7290

NOTICE OF DECISION

*keep for your records*

At the Workers' Compensation hearing held on 03/25/2011 involving the claim of Dorothea Perry at the Brooklyn hearing location, Judge Karen Kowarsky made the following decision, findings and directions:

DECISION: The claimant's average weekly wage for the year worked before this work related injury or occupational disease is \$1,619.03 inclusive of concurrent employment. If the carrier/employer wishes to produce a consultant's medical report (IME) in accordance with Workers' Compensation Law Section 137 and Board Rule 300.2 on the current medical issue(s) of on causal relationship for the left shoulder as a separate site of injury, it must be produced before or at the next hearing. If such report is not produced, a finding may be made that the carrier has waived the opportunity to submit a consultant's medical report. I find prima facie medical evidence for the left shoulder. I find concurrent employment with the City of New York. Composite average weekly wage is \$1,619.03. IME is due within 45 days. No further action is planned by the Board at this time.

Exh. No. 666 Received ☒ Rejected ☒

Case No.                     

Case Name: OCS

No. Pgs.            Date 10/27/15 Rep. AC

Claimant - Dorothea Perry  
Social Security No. -  
WCB Case No. - G030 7290  
Date of Accident - 05/03/2010  
District Office - NYC

Employer - Cablevision  
Carrier - New Hampshire Insurance Co  
Carrier ID No. - W154009  
Carrier Case No. - 6139490854018  
Date of Filing of this Decision - 03/30/2011

ATENCION:

Puede llamar a la oficina de la Junta de Compensacion Obrera, en su area correspondiente, cuyo numero de telefono aparece al principio de la pagina y pida informacion acerca de su reclamacion(caso).

Copies To:  
Claimant: Dorothea Perry  
Carrier: New Hampshire Insurance Co  
Employer: Cablevision  
Other: Chartis Claims, Inc.  
Severance, Burko & Spalter PC  
ESIS, Inc.

Please see below for Recipients.

Dorothea Perry  
74 Tapscott Street  
Brooklyn, NY 11212

Cablevision  
1111 Stewart Ave  
Bethpage, NY 11714

Chartis Claims, Inc.  
PO Box 1830  
Alpharetta, GA 30023

Severance, Burko & Spalter PC  
Montague Center  
189 Montague St., Suite 900  
Brooklyn, NY 11201

ESIS, Inc.  
Buffalo Workers' Comp Center  
300 Airborne Parkway, Ste 200  
Buffalo, NY 14225

EC-23 (4/98)  
FILE COPY

OVER

JA0694





Robert E. Beloten  
Chair

STATE OF NEW YORK  
WORKERS' COMPENSATION BOARD  
PO BOX 5205  
BINGHAMTON, NY 13902-5205  
[www.wcb.ny.gov](http://www.wcb.ny.gov)  
(800) 877-1373

**State of New York - Workers' Compensation Board**  
**In regard to Dorothea Perry, WCB Case #G030 7290**

**NOTICE OF DECISION**

*keep for your records*

At the Workers' Compensation hearing held on 04/04/2012 involving the claim of Dorothea Perry at the Brooklyn hearing location, Judge Elaine Stogel made the following decision, findings and directions:

The claimant has a 18.75% schedule loss of use of the Right Arm, and 8.75% schedule loss of use of the Left Arm, and 6.25% schedule loss of use of the Left Hand, and 0.00% schedule loss of use of the Left 3rd Finger entitling claimant to 101.05 weeks of benefits.

**THE EMPLOYER OR INSURANCE CARRIER IS DIRECTED TO PAY AWARD AS FOLLOWS:**

for disability over a period of			at rate		Type of Disability
weeks	from	to	per week	the sum of	
100.6	5/3/2010	4/5/2012	\$600.00	\$60,360.00	Permanent Partial Disability

TOTAL AWARD IS \$60,630.00, less payments already made.

Payment at the rate of \$600.00 per week would continue for 0.45 weeks until 4/10/2012.

**FEES:**

As lien on above award payable by separate check by carrier TO CLAIMANT'S REPRESENTATIVE OR ATTORNEY:

Sum of	To
\$9,000.00	Severance, Burko, Spalter

**DECISION:** The parties have stipulated on the record to these findings.

Parties have agreed to waive notice of hearing. All findings and awards are pursuant to the stipulated agreement. reimburse employer \$99.50 for wages paid. no further causally related disability to the neck and back. No further action is planned by the Board at this time.

Claimant -	Dorothea Perry	Employer -	Cablevision
Social Security No. -		Carrier -	New Hampshire Insurance Co
WCB Case No. -	G030 7290	Carrier ID No. -	W154009
Date of Accident -	05/03/2010	Carrier Case No. -	6139490854018
District Office -	NYC	Date of Filing of this Decision -	04/09/2012

**ATENCION:**

Puede llamar a la oficina de la Junta de Compensacion Obrem, en su area correspondiente, cuyo numero de telefono aparece al principio de la pagina y pida informacion acerca de su reclamacion(caso).

Copies To:  
Claimant: Dorothea Perry  
Carrier: New Hampshire Insurance Co  
Employer: Cablevision  
Other: Chartis Claims, Inc.  
Severance, Burko, Spalter  
ESIS, Inc.

Please see below for Recipients.

Dorothea Perry  
74 Tapscott Street  
Brooklyn, NY 11212

Cablevision  
1111 Stewart Ave  
Bethpage, NY 11714

Chartis Claims, Inc.  
PO Box 1830  
Alpharetta, GA 30023

Severance, Burko, Spalter  
& Masone, PC  
Montague Center  
189 Montague St., Suite 900  
Brooklyn, NY 11201

ESIS, Inc.  
Buffalo Workers' Comp Center  
300 Airborne Parkway, Ste 200  
Buffalo, NY 14225

EC-23 (4/98)  
FILE COPY

OVER

JA0696



## Employee Claim

C-3

State of New York - Workers' Compensation Board

Fill out this form to apply for workers' compensation benefits because of a work injury or work-related illness. Type or print neatly. This form may also be filled out on-line at [www.wcb.state.ny.us](http://www.wcb.state.ny.us).

WCB Case Number (if you know it): \_\_\_\_\_

### A. YOUR INFORMATION (Employee)

1. Name: DOROTHEA PERRY 2. Date of Birth: 1 / 27 / 1967
3. Mailing address: 74 TAPSCOTT STREET BROOKLYN, NY 11212
4. Social Security Number: 062 - 58 - 7436 5. Phone Number: (917) 328-3442 6. Gender: ☐ Male ☒ Female
7. Do you speak English? ☒ Yes ☐ No If no, what language do you speak? \_\_\_\_\_

### B. YOUR EMPLOYER(S)

1. Employer when injured: CABLEVISION 2. Phone Number: (917) 328-3412
3. Your work address: 200 JERICHO QUADRANGLE, Jericho, NY 11753
4. Date you were hired: 1 / 1 / 2004 5. Your supervisor's name: Charles Wright
6. List names/addresses of any other employer(s) at the time of your injury/illness: \_\_\_\_\_  
NYC Dept of Information Tech and Telecommunications
7. Did you lose time from work at the other employment(s) as a result of your injury/illness? ☐ Yes ☒ No

### C. YOUR JOB on the date of the injury or illness

1. What was your job title or description? Technical Support Rep 2
2. What types of activities did you normally perform at work? \_\_\_\_\_  
Provide telephone support for customers
3. Was your job? (check one) ☐ Full Time ☒ Part Time ☐ Seasonal ☐ Volunteer ☐ Other: \_\_\_\_\_
4. What was your gross pay (before taxes) per pay period? ~\$940 5. How often were you paid? Bi-weekly (every 2 wks)
6. Did you receive lodging or tips in addition to your pay? ☐ Yes ☒ No If yes, describe: \_\_\_\_\_

### D. YOUR INJURY OR ILLNESS

1. Date of injury or date of onset of illness: 5 / 3 / 2010 2. Time of injury: 9:00 ☐ AM ☒ PM
3. Where did the injury/illness happen? (e.g., 1 Main Street, Pottersville, at the front door) \_\_\_\_\_  
200 JERICHO QUADRANGLE
4. Was this your usual work location? ☒ Yes ☐ No If no, why were you at this location? \_\_\_\_\_
5. What were you doing when you were injured or became ill? (e.g., unloading a truck, typing a report) \_\_\_\_\_  
Walking over to a technician for information
6. How did the injury/illness happen? (e.g., I tripped over a pipe and fell on the floor) \_\_\_\_\_  
Tripped and fell
7. Explain fully the nature of your injury/illness; list body parts affected (e.g., twisted left ankle and cut to forehead): \_\_\_\_\_  
Neck, Back, Both hands, Both shoulders

YOUR NAME: DOROTHEA PERRY

DATE OF INJURY/ILLNESS: 5 / 3 / 2010

**D. YOUR INJURY OR ILLNESS continued**

8. Was an object (e.g., forklift, hammer, acid) involved in the injury/illness? ☐ Yes ☒ No If yes, what? \_\_\_\_\_

9. Was the injury the result of the use or operation of a licensed motor vehicle? ☐ Yes ☒ No  
If yes, ☐ your vehicle ☐ employer's vehicle ☐ other vehicle License plate number (if known): \_\_\_\_\_

If your vehicle was involved, give name and address of your motor vehicle insurance carrier: \_\_\_\_\_

10. Have you given your employer (or supervisor) notice of injury/illness? ☒ Yes ☐ No  
If yes, notice was given to: Karen Tertiz ☐ orally ☒ in writing Date notice given: 05 / 10 / 10

11. Did anyone see your injury happen? ☒ Yes ☐ No ☐ Unknown If yes, list names: \_\_\_\_\_

**E. RETURN TO WORK**

1. Did you stop work because of your injury/illness? ☐ Yes, on what date? \_\_\_\_ / \_\_\_\_ / \_\_\_\_ ☒ No, skip to Section F.

2. Have you returned to work? ☐ Yes ☐ No If yes, on what date? \_\_\_\_ / \_\_\_\_ / \_\_\_\_ ☐ regular duty ☐ limited duty

3. If you have returned to work, who are you working for now? ☐ Same employer ☐ New employer ☐ Self employed

4. What is your gross pay (before taxes) per pay period? \_\_\_\_\_ How often are you paid? \_\_\_\_\_

**F. MEDICAL TREATMENT FOR THIS INJURY OR ILLNESS**

1. What was the date of your first treatment? 05 / 10 / 10 ☐ None received (skip to question F-5)

2. Were you treated on site? ☐ Yes ☒ No

3. Where did you receive your first off site medical treatment for your injury/illness? ☐ none received ☐ Emergency Room  
☒ Doctor's office ☐ Clinic/Hospital/Urgent Care ☐ Hospital Stay over 24 hours

Name and address where you were first treated: \_\_\_\_\_

Dr. Spitz, 81 Willoughby Street, Brooklyn, NY 11201 Phone Number: (718) 237-5117

4. Are you still being treated for this injury/illness? ☒ Yes ☐ No  
Give the name and address of the doctor(s) treating you for this injury/illness: \_\_\_\_\_

Dr. Spitz, 81 Willoughby Street, Brooklyn, NY 11201 Phone Number: (718) 237-5117

5. Do you remember having another injury to the same body part or a similar illness? ☒ Yes ☐ No  
If yes, were you treated by a doctor? ☒ Yes ☐ No If yes, provide the names and addresses of the doctor(s) who treated you and COMPLETE AND FILE FORM C-3.3 TOGETHER WITH THIS FORM:  
Dr. Spitz

81 Willoughby Street, Brooklyn, NY 11201

6. Was the previous injury/illness work related? ☐ Yes ☒ No  
If yes, were you working for the same employer that you work for now? ☐ Yes ☐ No

I am hereby making a claim for benefits under the Workers' Compensation Law. My signature affirms that the information I am providing is true and accurate to the best of my knowledge and belief.

Any person who knowingly and with INTENT TO DEFRAUD presents, causes to be presented, or prepares with knowledge or belief that it will be presented to, or by an insurer, or self-insurer, any information containing any FALSE MATERIAL STATEMENT or conceals any material fact, SHALL BE GUILTY OF A CRIME and subject to substantial FINES AND IMPRISONMENT.

Employee's Signature: [Signature] Print Name: DOROTHEA PERRY Date: 7-20-10

On behalf of Employee: \_\_\_\_\_ Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

An individual may sign on behalf of the employee only if he or she is legally authorized to do so and the employee is a minor, mentally incompetent or incapacitated.

I certify to the best of my knowledge, information and belief, formed after an inquiry reasonable under the circumstances, that the allegations and other factual matters asserted above have evidentiary support, or are likely to have evidentiary support after a reasonable opportunity for further investigations or discovery.

Signature of Attorney/Representative (if any): \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

ID No., if any: R If Licensed Representative, License No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

ACE Group

10/6/2010 10:44:13 AM PAGE

3/005

Fax Server

Received by WCB Fax on 10/6/2010 10:54:49 AM

SEP-23-2010 10:02

CABLEVISION SYSTEMS

S16 883 3119 P.01

STATE OF NEW YORK  
WORKERS' COMPENSATION BOARD  
EMPLOYER'S STATEMENT OF WAGE EARNINGS  
(Preceding the Date of Accident)

THIS AGENCY EMPLOYER AND SERVICE PROVIDER  
PEOPLE WITH DISABILITIES WITHOUT  
DISCRIMINATION.

1. W.C.B. CASE NO. 613045405018  
2. CARRIER'S CASE NO. 6139-444-0854/18  
3. DATE OF ACCIDENT 5/3/2010  
4. EMPLOYEE'S SOC. SEC. NO. 062-58-7436

5. INJURED EMPLOYEE NAME DOROTHEA PERRY ADDRESS 74 TAPSCOTT ST. BROOKLYN NY 11212  
6. CARRIER NEW JERSEY SHIP CHARTER CO. EST. P.O. BOX 31121 TAMPA FL  
7. EMPLOYER CABLEVISION 200 Tenisha Quad. Jamaica NY

8. Employee was employed at a \_\_\_\_\_ Wage for a \_\_\_\_\_ day week.  
(hourly, daily, weekly or monthly) (8, 6 or 7)

9. Was injured employee in military service during the 52 week period immediately preceding the date of accident? \_\_\_\_\_

If "Yes", give date of discharge: \_\_\_\_\_

INSTRUCTIONS:  
1. Give gross weekly earnings for the 52 weekly periods immediately preceding the date of accident.  
2. If injured employee has not worked at the same work for a year or a substantial part thereof (234 days for a 5 day week, 270 days for a 6 day week) give the weekly gross earnings of another employee of the same class who has worked for a year or a substantial part thereof immediately preceding the date of accident.

10. The following is a schedule of gross wage earnings for the 52 weeks immediately preceding the date of accident of: (Check "X" one)

☐ The injured employee named in item 5 above.

☐ \_\_\_\_\_ (Name of employee of the same class)

CR 327.69  
ANW 491.54

Week No.	Week Ending Date	Days Worked	Gross amount paid including overtime	Week No.	Week Ending Date	Days Worked	Gross amount paid including overtime	Week No.	Week Ending Date	Days Worked	Gross amount paid including overtime
1				18				27			
2				19				28			
3				20				29			
4				21				30			
5				22				31			
6				23				32			
7				24				33			
8				25				34			
9				26				35			
10				27				36			
11				28				37			
12				29				38			
13				30				39			
14				31				40			
15				32				41			
16				33				42			
17				34				43			
18				35				44			
19				36				45			
20				37				46			
21				38				47			
22				39				48			
23				40				49			
24				41				50			
25				42				51			
26				43				52			
27				44				TOTAL			25,520.00

11. Was this employee given free rent, lodging, board, tips, bonus or other allowance in addition to the above earnings? \_\_\_\_\_

If "Yes", state weekly value thereof \$ \_\_\_\_\_ Describe: \_\_\_\_\_

12. Was there any wage adjustment made affecting the 52 week period scheduled above? If "Yes", explain: \_\_\_\_\_

I CERTIFY THAT THE ABOVE IS TRUE AND CORRECT:

Date: 7/23/2010

Prepared by: LATOYA BROWN

Tel. No. & Ext. 516-803-2300

Official Title: PAYROLL ANALYST

ACE Group

10/6/2010 10:44 AM

PAGE

4/005

Fax Server

Received by WCB Fax on 10/6/2010 10:54:49 AM

SEP-23-2010 10:05

CAREVISION SYSTEMS

516 683 3119

P.05

## Summary Statement

Taxable Marital Status: Single  
 Exemptions/Allowances:  
 Federal: 03  
 State: 08

DOROTHEA R PERRY  
 74 TAPSCOTT STREET  
 BROOKLYN, NY 11212

Exemption	rate	hours	This period	year to date as of
Regular		301.50	30,789.91	04/22/2010
Shift 5%			972.60	
Shift 10%			50.30	
Holiday	44.75		1,032.43	
Vacation	64.25		1,469.11	
Double Time	5.50		248.38	
Overtime	12.75		565.23	
Sick	13.75		304.46	
Bonus			92.58	
<b>Gross Pay</b>			<b>35,564.06</b>	<b>1,957.84</b>

Continued	this period	year to date
Checking 23	1,300.00	
Child Supp Life	17.78	
<b>Net Pay</b>	<b>39.00</b>	

## Important Notes

Other Benefits and Information	this period	year to date
--------------------------------	-------------	--------------

Deductions	Statutory		
	Federal Withholding Tax	611.28	310.48
	Social Security Tax	1,424.28	142.38
	Medicare Tax	377.10	103.46
	NY Withholding Tax	340.12	192.80
	NYC Res W/H Tax	285.30	37.03
	<b>Other</b>		
	Supp Life	190.45	
	Supp Ad&D	69.08	
	Medical Opt 2	1,174.24	
	Dental Dmo	124.30	
	Group Legal	174.30	
	Vision	93.06	
	Charishment	3,036.88	
	Checking #1	15,140.13	

Page 2

Chk Nbr	Period End	Pay Date	Gross Pay	Net Pay
80579	02/20/2010	02/25/2010	81,074.70	30.00
100528	02/06/2010	03/11/2010	51,051.72	85.00
50114998	03/06/2010	03/11/2010	925.35	558.00
50470884	03/06/2010	03/11/2010	893.46	850.00
120536	03/20/2010	03/25/2010	8915.33	30.00
140534	04/03/2010	04/08/2010	8906.70	85.00
160543	04/17/2010	04/22/2010	8976.52	30.00

TOTAL P.05

JA0700



WCB, CLMT, ER, ATTY  
SEVERANCE BURKO ETAL 189  
MONTAGUE ST, BROOKLYN NY  
11201

CHECK TYPE OF CASE: ☒ WORKERS' COMPENSATION ☐ VOLUNTEER FIREFIGHTER ☐ VOLUNTEER AMBULANCE WORKER

ALL COMMUNICATIONS SHOULD REFER TO THESE NUMBERS									
1. W.C.B. Case Number		2. Carrier Case Number		3. Carrier Code		4. Date of Injury		5. Social Security Number	
G0307290		6139494085401-8		W154009		05/03/2010		062-58-7436	
Name				Address to which notices should be sent					
5. Claimant/Name of Deceased				PERRY, DOROTHEA R		74 TAPSCOTT STREET BROOKLYN NY 11212			
7. Employer*				CABLEVISION SYSTEMS CORP., M.S		CABLEVISION 200 JERICHO QUADRANGLE JERICHO, NY 11753			
8. Carrier				New Hampshire Insurance Company c/o EIS(T100026)		300 Airborne Pkwy, Ste 200 Buffalo, NY 14225			
* In VF and VAW benefit cases, the liable political subdivision (or unaffiliated ambulance service as defined in Sec. 30 VAWBL) is deemed to be the "EMPLOYER."									
9. County Where Injury Occurred		10. Date Disability Began or Date of Death		11. Average Weekly Wage		12. Date First Payment Made		13. Date Most Recent Payment Made	
		05/04/2010		\$ 491.54		04/12/2012		04/12/2012	
14. Description (Diagnosis) of Injury EST NECK, BACK, RT SHOULDER, LEFT WRIST & LFT 3RD FINGER T									
15. SUMMARY OF BENEFIT PAYMENTS									
Indicate Type of Disability		Period(s) of Payment		Less Days Worked	Number of Weeks	Weekly Rate	Amount		
TOTAL/PARTIAL	PERM/TEMP.	From	To						
PARTIAL	PERM	05/03/2010	04/10/2012		101.200	\$600.00	\$ 60,630.00		
							0.00		
							0.00		
							0.00		
							0.00		
DISFIGUREMENT									
LUMP SUM PAYMENT (Include Lump Sum Non-Schedule Adjustment or Lump Sum Advance on a Schedule Loss Award)									
		From	To	Paid To Or For					
		Lump Sum Death Benefit (VFBt and VAWBL only)							
		Funeral Expenses							
		State Treasurer (Sections 15-9, 25-a or 28-a)							
		Payment made into Aggregate Trust Fund - Date:							
						TOTAL AWARD	\$ 60,630.00		
PENALTY PAYMENT TO CLAIMANT									
LESS: a. Fees to representatives: SEVERANCE BURKO						\$	9,000.00		
b. Reimbursement to: EMPLOYER 5/3/10-1/12/11						\$	99.50		
c. Other (specify): Previously Paid						\$			
TOTAL DEDUCTIONS (a+b+c)						\$	9,099.50		
BALANCE TO CLAIMANT						\$	51,530.50		
16. Have benefits been paid in full in accordance with an award of the WCB? <input type="radio"/> Yes <input type="radio"/> No If "No," check and complete items a-c, as appropriate:									
a. <input type="checkbox"/> Claimant returned to work. Date of return: 05/04/2010 <input type="radio"/> At pre-injury wages <input type="radio"/> At reduced wages									
b. <input type="checkbox"/> There is a change in condition and/or earnings. (A medical report or other supporting documentation must be attached.)									
c. <input type="checkbox"/> Carrier has proof of incarceration upon conviction of a felony. (Attach proof of incarceration.)									
d. <input checked="" type="checkbox"/> Payments stopped or modified for other reason. (Explain below and/or attach explanation/documentation.) AWARD PAID AS PER DECISION 4/9/12 18.75% RIGHT ARM, 8.75% LEFT ARM, 6.25% LEFT HAND NO FURTHER ACTION.									
17. <input type="checkbox"/> NOTICE OF TERMINATION OF TEMPORARY PAYMENTS OF COMPENSATION AND PRESCRIBED MEDICINE (Sec. 21-a WCL) Employer or carrier is ceasing payment of temporary compensation and prescribed medicine. See special information box on reverse. Last payment was made on . Reason for termination of payments:									

Dated 04/12/2012

Telephone No. & Ext. 1-800-962-2680

Prescribed by Chair  
Workers' Compensation Board  
State of New York

JA0701

# **Exhibit A11**

**R-1**





## HUMAN RESOURCES

October 22, 2002

Dorothea Perry

Dear Dorothea:

As was discussed with you, your employment with Collegis will be terminated due to job performance effective October 22, 2002.

As a result, you are entitled to the following benefits:

- A standard severance agreement has been enclosed for your review. You are being provided 7 days to consider this agreement and are encouraged to consult with legal counsel prior to executing this agreement. The severance will be paid to you as soon as administratively possible following the date of termination, assuming receipt of your executed agreement and expiration of the revocation period. Please return the signed, original agreement to my attention.
- You are entitled to apply for unemployment at your local unemployment office.
- Any accrued, unused vacation will be paid out following the receipt of an approved final timesheet. Vacation accrues at 1.25 days per month (full-time accrual).
- You have certain rights to elect the continuation of insurance benefits by making timely notification and payments. A COBRA package will be sent to your home via certified mail which will include more information, including the costs. Benefit coverage remains in tact through January 31, 2003.
- Your rights regarding the monies in your 401(k) account will also be forwarded to you in the package mentioned above. You may wish to seek the advice of a tax expert regarding the disposition of the funds in your 401(k) account.

The Human Resources staff is available to you for any questions that you may have throughout this transition. Should I be of further assistance to you, please let me know. My direct number is (888) 472-6553 x2240 or email at [mpeters@collegis.com](mailto:mpeters@collegis.com).

Sincerely,

Collegis, Inc.

Maggie Peters  
Manager, Human Resources

Exh. No: 21 Received ☒ Rejected ☐  
Case No.: 29-CA-154544  
Case Name: CSC Holdings  
No. Pgs: 7/24/15 Date: 7/24/15 Rep: JSW

Enclosures

# **Exhibit A11**

## **R-2**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
DOROTHEA PERRY

Plaintiffs,

Index No. 03/118365

-against-

NEW YORK LAW SCHOOL and COLLEGIS, INC.,

SUMMONS

Defendants.  
-----X

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your Answer, or, if the Complaint is not served with this Summons, to serve a Notice of Appearance, on the Plaintiff's Attorney within 20 days after the service of this Summons, exclusive of the day of service, or within 30 days after completion of service where service is made in any manner other than by personal delivery within the State. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

New York County is designated as the place of trial on the basis of the fact that defendant New York Law School resides within said County.

Dated: New York, New York  
October 21, 2003

Summons Filed: October 21, 2003

BERKE-WEISS & PECHMAN LLP

By: 

Louis Pechman  
488 Madison Avenue  
New York, New York 10022  
(212) 583-9500  
Attorneys for Plaintiff

Exh. No: 22 Received ☒ Rejected ☐  
Case No.: 29 CA 154534  
Case Name: CSC Holiday  
No. Pgs: \_\_\_\_\_ Date: 9/24/15 Rep.: DJW

JA0705

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
DOROTHEA PERRY

Plaintiff,

Index No. 03/118365

-against-

NEW YORK LAW SCHOOL and COLLEGIS, INC.,

**COMPLAINT**

Defendants.  
-----X

Plaintiff Dorothea Perry ("Perry" or "plaintiff"), by her attorneys, Berke-Weiss & Pechman LLP, complaining of defendants New York Law School ("NYLS") and Collegis, Inc. ("Collegis") alleges as follows:

**NATURE OF THE ACTION**

1. This action is brought to remedy discrimination on the basis of race, color and retaliation in the terms, conditions and privileges of employment under Title VII of the Civil Rights Act of 1964, as amended, §§ 2000e, *et seq.* ("Title VII"), the New York Executive Law § 290, *et seq.* ("Executive Law"), the New York City Human Rights Law, Administrative Code of the City of New York §§ 8-101, *et seq.* ("Human Rights Law"), and for unpaid overtime compensation under the Fair Labor Standards Act, 29 U.S.C.A. § 216, *et seq.* ("FLSA") and the New York State Labor Law.

**THE PARTIES**

**Dorothea Perry**

2. Dorothea Perry resides at 74 Tapscott Street, Brooklyn, New York 11212.

**New York Law School**

3. NYLS, one of the oldest independent law schools in the United States, was founded in 1891. NYLS has approximately 1,400 students and over 400 employees. NYLS is located at 57 Worth Street, New York, New York 10013.

### **Collegis**

4. Collegis provides technology and management services to various colleges and universities, including NYLS. Collegis' headquarters is located at 2300 Maitland Center Parkway, Suite 340, Maitland, Florida 32751.

### **Joint Employer Status**

5. At all times material herein, defendant NYLS and defendant Collegis were individually, and jointly, Perry's employer within the meaning of Title VII, the Human Rights Law and the Executive Law.

### **JURISDICTIONAL PREREQUISITES**

6. Plaintiff filed a timely charge of discrimination against defendants with the Equal Employment Opportunity Commission (the "EEOC") on or about August 5, 2003, complaining of the acts of discrimination alleged herein.

7. On or about August 13, 2003, the EEOC issued plaintiff a notice informing her of her right to sue defendant in federal court.

8. This action has been commenced within 90 days of receipt of the notice of Right to Sue.

9. Plaintiff has complied fully with all prerequisites to jurisdiction in this Court under Title VII.

10. Prior to commencement of this action, plaintiff served a copy of this complaint upon the New York City Commission on Human Rights and the Corporation Counsel of the City of New York in accordance with N.Y.C. Admin. Code § 8-502(c).

## FACTS

### Perry's Job Status

11. Perry was employed by NYLS and Collegis as a Systems Analyst and PC Specialist supporting the personal computer user community at NYLS.

12. At all times material herein, Perry's work location was at NYLS, assisting NYLS employees and students with their computer related issues. Perry had a NYLS identification card, ate in the NYLS cafeteria, was honored for service at NYLS's Annual Staff Recognition Luncheon and parked free of charge in NYLS's parking lot. Perry was generally recognized as a NYLS employee albeit her paycheck was from Collegis.

13. At all time material herein, Perry's employment was under the direction and control of NYLS, as well as Collegis.

14. Perry was misclassified as "exempt" from the requirements of the Fair Labor Standards Act (*i.e.* not eligible to receive overtime pay) during her employment by defendants NYLS and Collegis.

15. For the six years prior to the filing of this Complaint, Perry consistently worked in excess of 40 hours per week yet never received overtime pay of one and one half times her regular hourly rate as required by the FLSA and New York State Labor Law.

### Perry's Work Performance

16. Perry began work at NYLS in April of 1990 as a Coordinator of User Services. Her responsibilities included the support of all hardware, software and communications needs for users at NYLS. From approximately 1990 to 1994, she provided these services exclusively to faculty members.

17. In November of 1997, the computer support function at NYLS was contracted out to Collegis, and Perry commenced employment for Collegis.

18. Perry received an overall rating of "Excellent" for her annual Performance Review covering the period from November 1, 1997 to November 1, 1998. Abe Baggen ("Baggen"), Executive Director, concluded that: "Dorothea has been a strong influence in holding the user services department together during a very difficult period which culminated in the termination of one employee and another leaving because of the hostile environment created by the person who was terminated." The Performance Review also had the following specific ratings:

- "Excellent" rating on Job Knowledge/Technical Expertise: "Dorothea has a very good knowledge of the NYLS Desktop Environment. Dorothea excels at getting work done within the Law School Culture. She consistently chooses and prioritizes the tasks most important to the client and her management."
- "Outstanding" rating on Productivity: "Dorothea has consistently been the most productive employee in User Services. During a difficult period of staff turnover, she carried most of the workload of the department."
- "Excellent" rating on Customer Focus: "Dorothea works well with the staff of the school. She checks back with customers to verify their satisfaction with her work."
- "Excellent" rating on Communication: "Dorothea is direct and forthright in her communications. She keeps customers and management informed. In team settings, she is often the one who will bring up and face critical and difficult issues that are impeding progress."
- "Excellent" rating on Professional Qualities: "Dorothea is a seasoned professional. She recognizes when and where it is important to provide extra effort and is consistently willing to do so. She has the potential to grow into a technical managerial role."

19. Perry received an overall rating of "Excellent" on her annual Performance Review covering the period from November 1, 1998 to November 1, 1999. Executive

Director Baggen's review concluded: "Dorothea has taken on the management and oversight of the student help desk. She has become a reliable resource to the Executive Director, taking on large projects with little or no ongoing supervision." The Performance Review also had the following specific ratings:

- "Excellent" rating on Job Knowledge/Technical Expertise: "Dorothea knows the Windows/Office/Word Perfect Environment very well. She has become one of our most consistent users of remote control using manage wise."
- "Outstanding/Excellent" rating on Productivity: "Dorothea has stayed late and come in on weekends on many occasions to complete projects. She has developed good working relationships with staff to make the most efficient use of time."
- "Outstanding" rating on Customer Focus: "Dorothea has become our best example of personal customer service. She anticipates customers demands and acts to meet them before they become problems."
- "Excellent" rating on Communication, commenting: "Dorothea consistently enters and documents her activities and project status to users of management."

20. For the period of November 1, 1999 to November 1, 2000, Perry received an overall rating of "Excellent" on her Annual Review. Margaret Perley ("Perley"), Executive Director, who wrote the review, concluded that: "Dorothea is a valued employee whose technical expertise is respected and appreciated. Her background knowledge of New York Law School has been very helpful to me in resolving many problems here." The Performance Review also had the following specific ratings:

- "Outstanding" rating on Job Knowledge/Technical Expertise: "Dorothea is an intelligent, resourceful employee whose technical knowledge covers many areas. She is a wonderful source for New York Law School history as it pertains to the Office of Information Technology."



- "Excellent" rating on Productivity: "Dorothea performs well in solving problems of a technical nature and her highest productivity seems to be when she is under the pressure of a deadline."
- "Excellent" rating on Customer Focus: "Dorothea is responsive to requests for service and devotes a great deal of her time in trying to satisfy customer demands. She is proactive in resolving problems that she senses are potentially explosive."
- "Fully Competent" rating on Communication: "Dorothea is well-liked by her team mates. She frequently contributes ideas and information in staff planning sessions. She communicates well through e-mail."
- "Fully Competent" rating on Professional Qualities: "Dorothea performs well in planning and prioritizing her work load. She works well without supervision and is adaptable to most changes. She frequently contributes ideas and information in staff planning sessions. She communicates well through email."

21. Perry received an overall rating of "Excellent" for her annual Performance Review covering the period of November 1, 2000 through November 1, 2001.

Executive Director Perley concluded that: "Dorothea is a valued employee who has a firm understanding of PC technology. She is well-liked by her colleagues and the client." The Performance Review also had the following specific ratings:

- "Outstanding" rating on Job Knowledge/Technical Expertise: "Dorothea has a thorough understanding of the skills necessary to perform as a PC technician. She has, on more than one occasion, saved the day for the OIT department."
- "Excellent" rating on Productivity: "Dorothea is an expert in her field in solving PC-related problems and is often required to work under pressure."
- "Excellent" rating on Customer Focuses: "Dorothea gets along with most of the faculty and staff at NYLS."
- "Fully Competent" rating on Communication: "Dorothea works well with all of her colleagues."

- "Fully Competent" rating on Professional Qualities: "Dorothea has excellent decision making skills and very successfully plans and prioritizes her work load."

22. Perry consistently received merit-based pay raises and performance incentive plan bonuses during the course of her employment at NYLS. Perry's salary at the time of her termination had risen to \$55,094.00. Her last raise was 4%, effective November 1, 2001.

#### **The Racial Animus at New York Law School**

23. Perry was subjected to racially offensive comments and behavior by Executive Director Perley during her employment with NYLS.

24. Perley displayed a picture of her Virginia home in her NYLS office which she referred to as her "plantation" that had "slave quarters." Perley told staff members that she wished to maintain the "slave quarters" as a museum. Perry was often ridiculed by other staff members because of this reference.

25. Perley treated persons of color in a demeaning manner. Perley frequently referred to Perry as her "best girl."

26. Perley also referred to other persons of color, including Alta Levat, Dean of Public Affairs, Valerie Plummer, Career Service Assistant, and Professor Anthony Fletcher, in derogatory terms.

#### **Perry's Prior Complaints of Race Discrimination**

27. In 1997, Perry filed a complaint of race discrimination against NYLS.

28. Since filing her discrimination claim against NYLS, Perry has been openly recognized by NYLS employees as the authority at NYLS on how to respond to race discrimination in the workplace at the Law School. Several NYLS employees sought

Perry's advice and guidance, as an advisor for their race discrimination claims against NYLS.

#### **The Discovery of the Pornographic Images of Little Girls**

29. Professor Samuels was hired as a Professor at NYLS in 1976. Professor Samuels taught Bankruptcy Law, Contracts and Copyright Law at NYLS.

30. On June 2, 2002, Perry worked on Professor Samuels' NYLS computer after he reported problems with his office computer at NYLS. Professor Samuels reported to the Help Desk that he thought he had a virus.

31. Professor Samuels was a well-liked instructor for 26 years at the School, and a nationally known expert on copyright law, and who in 2000 published "The Illustrated Story of Copyright."

32. On June 3, 2002, Perry instructed her co-worker, Robert Gross ("Gross") to back up Professor Samuels' computer in preparation of giving him a new computer because she feared his existing computer would experience a crash. In the course of doing the backup, Gross found child pornography on Professor Samuels' computer and reported it to Perry.

33. On June 3, 2002, Perry observed the child pornography on Professor Samuel's NYLS computer. The pornography consisted of disgusting visual images of pre-teenage girls in sexually provocative positions. The images were perverse and degrading to women.

34. The presence of the pornographic images in Perry's workplace at NYLS created a hostile work environment to which Perry had the right -- and obligation -- to oppose.

35. Upon finding the child pornography, Perry reported her discovery to Executive Director Perley. Executive Director Perley protested that the images were not of children and that she didn't think it was an issue. Perry insisted, however, that the images were of children.

36. Perley reported the child pornography to Fred DeJohn, Associate Dean of Finance and Administration, who was responsible for the onsite supervision of Collegis.

37. On June 7, 2002, at around 11:05 p.m., Perry emailed Perley the following message:

With regards to the issue we've uncovered, I didn't realize just how serious this situation was. I thought it was rather disgusting and reported it to you based on my sense of right and wrong. My conscience. Of course now I've done further investigation. This is really hard to believe. That's all I can say.

38. Later that same evening, Perry emailed Perley the following message:

I think for our protection the information should be purged from our server. If you've burned a copy and submitted it to the lawyers, and that has in fact taken place, there is no need for us to store that information. We may somehow become guilty of doing exactly what we've reported. Possessing and distributing child porn. Come Monday, we should remove it. Please give me your opinion. Thank you.

39. On or about June 13, 2002, Perley had a meeting with Gross and Perry regarding Professor Samuels. Perley told them that she had been in contact with the District Attorney and that he didn't think there was enough to prosecute Professor Samuels and that the issue would probably be dropped. Perry complained to Perley that the FBI should also have been contacted. Perley asked Perry why she was so upset. Perry replied that possession of child pornography was a crime and that Professor Samuels shouldn't be allowed to get away with this.

40. On June 17, 2002, Perry made the following official report to Perley about the discovery of child pornography on Professor Samuel's computer:

On Friday, May 31 at approximately 4:00 p.m., Professor Samuels placed a call into the help desk that he thought he had a virus.

On Sunday, June 2, I worked on the user's machine from about 2:30 - 4:30. I uninstalled and reinstalled Command Anti-Virus. Once I restarted his computer, his machine began operating very erratically. I experienced several memory dumps. The machine also reported an invalid system disk. When I checked the CMOS, no hard drive was reported. I left the user a note that we would continue working on his machine on Monday.

On Monday, June 3, I requested that Rob Gross attempt to install Windows XP over the Windows 2000. He too experienced the memory dumps. Rob created another partition on the failing hard drive and installed Windows XP onto that partition. During the course of installing the software he again began to experience memory dumps. Rob reported the problem to me and I advised him to bring the machine in to be immediately backed up. The user had lost data in the past and I didn't want to risk him losing any data.

During the course of backing up his data, Rob discovered files in the "My music" folder. It is customary for our staff to back up all user data, e.g. documents, music (mpg, wav, etc.), pictures (jpg, bmp). Rob looked further into the my music folder because another folder appeared imbedded in that folder, "Nime", within that folder "Nime2". In order to determine if these folders needed to be backed up Rob had to examine the contents of the folder. Upon his examination he observed what appeared to be child pornography. Rob requested that I take a look at it to be sure. From the appearance (face and body) of the young women, it certainly appeared without a doubt to be children.

I told Rob to leave the computer, and report it to Margaret. Rob requested that I make the report.

When you returned from your meeting I requested that you take a visual inspection of the contents of the Nime2 folder because I believed it was child pornography. Although at

first you doubted whether they were children you informed us that you would report the information to Fred DeJohn.

This concludes my report.

#### **The Reprimand of Perry After Her Report of Discovering Child Pornography**

41. On June 20, 2002, the New York City Police Department executed a warrant to search Professor Samuels' office computer.

42. On June 20, 2002, Perry received a "probation letter" from Perley, the first disciplinary action she had ever received in her more than twelve (12) years of work at NYLS. Perley placed Perry on "probation" for 60 days. The letter accused Perry of four problems (1) tardiness, (2) excessive personal phone usage, (3) having visitors at her office cubicle, and (4) dressing too provocatively.

43. When Perry was placed on probation, Perley told Perry that she had spoken to other female employees on the staff about dressing too provocatively, but Perley did not place any of the other employees on probation.

44. At around the same time that Perry was receiving her probation letters, Associate Dean DeJohn escorted two men in to pick up Professor Samuels' computer.

45. On June 20, 2002, Perry wrote the following email to Maggie Peters ("Peters"), Collegis' Manager of Human Resources:

Dear Maggie:

I tried to get in touch with you to discuss some issues that I think Human Resources can help to resolve. My livelihood is being threatened and I need to know where I stand. Collegis has always been this phantom company and only because I've been to the corporate headquarters do I know the company exists.

I've been so frightened to call for help. I feel so victimized and abused. I feel like a child feels when he's been abused

by someone he/she trusts. Scared. Confused. Afraid to call for help.

One co-worker made this comment today, "we all feel like committing suicide." That may or may not be an exaggerated statement.

I will if you like fly to Florida to see you.  
Please let me know.

46. Perry received a reply email from Peters stating that she was busy and would call Perry later that same day but Peters never did bother to call Perry.

47. On or about August 1, 2002, Perry went to the Federal Bureau of Investigation ("FBI") at 26 Federal Plaza and spoke with FBI Agent Allen Reichter. Perry told Reichter about what had been discovered and voiced her concern that no apparent action had been taken. Reichter directed Perry to the Manhattan District Attorney's office to see if a case was pending. That day, Perry went to the District Attorney's office on White Street and was told that there was no record of a pending case against Professor Samuels in the computer system. Perry went back to Reichter and said nothing was in the system at the DA's office. At that point, Reichter asked for statements from Perry and Gross which Perry then gave to him. Gross also provided a compact disc of the child pornography to Reichter that same day.

48. On August 12, 2002, Perry's attorney sent a letter to Maggie Peters, complaining, *inter alia*, that Perry was being subjected to race discrimination.

49. On August 14, 2002, Professor Samuels was arrested for possessing child pornography, based on images of naked girls ranging in age from three to thirteen which were found on his computer. Press reports of his arrest disclosed that thousands of images were found on Professor Samuels' home computer upon the execution of a search warrant.



50. On August 15, 2002, NYLS Dean and President Richard A. Matasar issued the following public statement:

I was saddened to learn this afternoon that our colleague, Professor Edward Samuels, was arrested on charges relating to possession of child pornographic images. Consistent with our belief in the basic legal principle of the presumption of innocence to which all are entitled, and recognizing that the legal process must take its course, the Law School has placed Professor Samuels on paid administrative leave so that he may attend to his defense. He has secured counsel.

Our hearts go out to Ed and his family as they face the difficult time ahead. We are hopeful about a speedy and just resolution of this matter.

51. On August 15, 2002, one day after his highly publicized arrest -- which specifically indicated that the technicians reported him -- Professor Samuels was invited to use Perley's office computer even though it was in the same area where Perry and Gross worked.

52. On August 18, 2002, Perry emailed the following complaint to Perley about Professor Samuels' use of the office computer:

Since I have your attention, you should know that we techs that reported Professor's Samuel's possession of child pornography were very very afraid, confused, and nervous to have him sitting in your office for 3 hours on Friday. It was the most uncomfortable situation I have faced in a long time. Even if the Dean did say that Samuels should use your computer, we would have felt better if he had used someone else's machine. Professor Samuels has a lot to lose, his freedom, his livelihood, his family. Who can attest for the his mental state? Our security is the most lax anywhere. who can say that he doesn't have a vendetta against the techs and won't come in and slay us? You could have given him a laptop and had him sit in the library with it. Or even in his own office. That was cruel.

53. On September 13, 2002, Perry received a letter from Dennis Moynihan ("Moynihan"), Vice President of Collegis, extending her probation another 60 days.



With respect to the four performance issues which were raised on June 22, 2002, Moynihan acknowledged that "your compliance is acceptable."

54. Despite Perry's full compliance with the June 20 probation letter, Moynihan extended Perry's probation, alleging new performance problems. Although Moynihan was not witness to any of the alleged performance issues, he accused Perry of (1) not complying with directives issued by Executive Director Perley, (2) not "fully, accurately, and proactively" communicating with Executive Director Perley, and (3) being "combative." None of these accusations had any validity, and, instead, smacked of a supervisor looking for ways to nitpick and discredit an employee.

55. On October 16, 2002, Professor Samuels had a hearing in Criminal Court, New York.

56. On October 22, 2002, Perry was terminated by Moynihan and Perley. Perry protested that she was a single mother with an eight year old son, but her protest fell on deaf ears.

57. Robert Gross was also terminated on October 22, 2002.

58. On October 23, 2002, Professor Michael Botein sent the following email to Executive Director Perley, regarding the firing of Perry:

Dear Margaret,

Congratulations on the upgrade. It is much appreciated. At the same time, I am somewhat flabbergasted to find out that you canned Dorothea as of this morning, with no input--as far as I can tell, at least--from staff or faculty. Moreover, I gather that this move had been planned for quite a while, since you had new people already on site.

*I have worked with Dorothea for many years, and--except when she was overwhelmed with other, institution-wide projects--found her to be technically excellent and always*

*willing to help.* I thus would have appreciated some advance warning, let alone a reason for her firing.

Moreover, I find it somewhat embarrassing that your evaluator of "consumer" concerns came by at 3 PM on Tuesday to ask me about my satisfaction with OIT's service, and specifically as to which personnel had been most helpful--and that I specifically identified Dorothea. Now I really feel like an idiot. Was this planned in advance? Were you trying to find justifications for canning people--and, if so, what did you do with the results of his survey? I don't see any good answers for any of these questions, and frankly feel totally used by the whole experience.

If you have a good reason for what appears to be rather bizarre behaviour, I and other staff and faculty would like to hear it. If you don't have one--or can't share it--I guess that's your problem.

But you certainly haven't done Collegis much good in terms of the Law School community--not just from my perspective, but from my colleagues'.

Finally, I don't blame this on you. I have a distinct feeling that some kind of mandate was imposed upon you by either NYLS or, more likely, Collegis. I just can't understand any rationale for it.

Good luck,

MIKE

59. On November 3, 2002, Nadine Strossen, NYLS Professor and President of the American Civil Liberties Union, wrote a reference letter for Perry which stated:

I am writing to recommend Dorothea Perry-Coleman for a responsible position within your organization. I have known and worked with Dorothea for more than twelve years, during which she frequently provided valuable information, advice, and assistance to myself and many members of my staff concerning our office technology equipment. (At any given time, my office, located at New York Law School, is staffed by two full-time Assistants and about a dozen part-time Research Assistants.)

In addition to assisting my office staff members and myself with multiple office desktop computers, Dorothea regularly assisted me with my various laptop computers. Dorothea always showed an impressive degree of expertise about a wide range of issues concerning a diverse array of technological equipment, software, and programming. She not only responded promptly and helpfully to requests for assistance and support; she also regularly took the initiative to give us pro-active advice or suggestions about how to improve our technological arrangements to facilitate our demanding workload.

Dorothea is a hard-working self-starter who knows how to troubleshoot, diagnose, and fix problems quickly and effectively. No matter what the problem was, I could always count on Dorothea to address it constructively. In addition to her impressive technical and analytical skills -- and many years of intense experience -- Dorothea communicates and works with others very effectively.

Perhaps most important, Dorothea has a refreshing "can-do" attitude, and consummate professional dedication. I vividly recall, for example, one Friday evening when she postponed her own personal plans for the evening and weekend in order to solve a terrible "worm" problem that had infected my laptop. She literally dedicated her day -- and much of her evening -- to redressing that problem, thus going far "above and beyond the call of duty" in terms of the literal requirements her job [sic]. Dorothea fully realized how essential it is for me -- with my nonstop travel schedule -- to have a reliable, virus-free, user-friendly laptop. Indeed, even though I am far from a computer expert, I have been able to access the Internet with ease from my laptop, from all over the world, thanks to the convenient dial-up systems that Dorothea took the initiative to set up for me.

Beyond her extensive professional qualifications, Dorothea has the most positive personal qualities. She is a friendly and considerate person, who has the ability to get along extremely well with colleagues.

I will indeed miss Dorothea as both a person and a professional. Whoever has the opportunity to work with her in the future is, indeed, fortunate.

I hope you have found this letter helpful. Should you seek any further information, don't hesitate to contact me. I have

the highest opinion of Dorothea and am delighted to serve as an enthusiastic reference for her.

60. On January 9, 2003, Perry and Gross, filed Complaint No. 03/600064 against NYLS and Collegis in New York State Supreme Court, New York County, alleging retaliation under the New York City Human Rights Law and tortious interference with contract.

61. On June 23, 2003, Professor Samuels was sentenced to six months in prison and ten years probation.

**FIRST CAUSE OF ACTION  
(Retaliation Under Title VII of the  
Civil Rights Act of 1964 – Unlawful Termination)**

62. Plaintiff repeats and realleges paragraphs 1 through 61 of this Complaint as if fully set forth herein.

63. At all times material herein, defendants NYLS and Collegis were individually, and jointly, an "employer" within the meaning of Title VII.

64. Under Title VII, it is unlawful for an employer to discriminate against any of its employees because the employee has opposed any practice made an unlawful employment practice by Title VII or because the employee has made a charge, testified, assisted or participated in any manner in an investigation, proceeding or hearing under Title VII.

65. Defendants NYLS and Collegis discriminated against plaintiff in violation of Title VII when it terminated her in retaliation for her complaints about race discrimination at NYLS and her complaints about the child pornography on Professor Samuels' NYLS computer which was degrading to women.

66. As a result of defendants' discriminatory acts, plaintiff has suffered and will continue to suffer substantial losses, including loss of past and future earnings and other employment benefits, and has suffered other monetary damages and compensatory damages for, *inter alia*, mental anguish, emotional distress, and humiliation.

67. Defendants acted intentionally and with malice and/or reckless indifference to plaintiff's federally protected rights and are thereby liable to plaintiff for punitive damages under the Civil Rights Act of 1991.

**SECOND CAUSE OF ACTION  
(Race Discrimination Under Title VII of the  
Civil Rights Act of 1964 – Unlawful Termination)**

68. Plaintiff repeats and realleges paragraphs 1 through 67 of this Complaint as if fully set forth herein.

69. Defendants NYLS and Collegis discriminated against plaintiff in violation of Title VII when it terminated her because of her race.

70. As a result of defendants' discriminatory acts, plaintiff has suffered and will continue to suffer substantial losses, including loss of past and future earnings and other employment benefits, and has suffered other monetary damages and compensatory damages for, *inter alia*, mental anguish, emotional distress, and humiliation.

71. Defendants acted intentionally and with malice and/or reckless indifference to plaintiff's federally protected rights and are thereby liable to plaintiff for punitive damages under the Civil Rights Act of 1991.

**THIRD CAUSE OF ACTION  
(Race Discrimination Under the New York City  
Human Rights Law – Unlawful Termination)**

72. Plaintiff hereby realleges each allegation contained in paragraphs 1 through 71 as if fully set forth herein.

73. Defendant NYLS was Perry's "employer" and a "person" within the meaning of the New York City Human Rights Law.

74. Defendant Collegis was Perry's "employer" and a "person" within the meaning of the New York City Human Rights Law.

75. Defendants NYLS and Collegis discriminated against Perry in violation of the New York City Human Rights Law by terminating her because of her race.

76. As a result of defendants' discriminatory acts, plaintiff has suffered and will continue to suffer substantial losses incurred in loss of past and future earnings and has suffered other monetary damages and compensatory damages for, *inter alia*, mental anguish, emotional distress, and humiliation.

77. Defendants acted intentionally and with malice and reckless indifference to plaintiff's rights under the New York City Human Rights Law and are therefore liable to plaintiff for punitive damages under the New York City Human Rights Law.

**FOURTH CAUSE OF ACTION  
(Race and Color Discrimination Under the  
Executive Law -- Unlawful Termination)**

78. Plaintiff repeats and realleges paragraphs 1 through 77 of this Complaint as if fully set forth herein.

79. Defendant NYLS was Perry's "employer" and a "person" and "agent" within the meaning of the Executive Law.

80. Defendant Collegis was Perry's "employer" and a "person" and "agent" within the meaning of the Executive Law.

81. Defendants NYLS and Collegis discriminated against Perry in violation of the Executive Law by terminating her employment because of her race and color.

82. As a result of defendants' discriminatory acts, plaintiff has suffered and will continue to suffer substantial losses incurred in loss of past and future earnings and has suffered other monetary damages and compensatory damages for, *inter alia*, mental anguish, emotional distress, and humiliation.

**FIFTH CAUSE OF ACTION  
(Retaliation Under the Executive Law - Unlawful Termination)**

83. Plaintiff repeats and realleges paragraphs 1 through 82 of this Complaint as if fully set forth herein.

84. Section 296(7) of the Executive Law states as follows:

It shall be an unlawful discriminatory practice for any person engaged in any activity to which this section applies to retaliate or discriminate against any person because he or she has opposed any practices forbidden under this article or because he or she has filed a complaint, testified or assisted in any proceeding under this article.

85. Defendants NYLS and Collegis discriminated against plaintiff in violation of Title VII by terminating Perry in retaliation for her complaints about race discrimination at NYLS and her complaints about the child pornography on Professor Samuels' NYLS computer which were degrading to women.

86. As a result of defendants' discriminatory acts, plaintiff has suffered and will continue to suffer substantial losses incurred in loss of past and future earnings and has suffered other monetary damages and compensatory damages for, *inter alia*, mental anguish, emotional distress, and humiliation.



**SIXTH CAUSE OF ACTION  
(Claim for Unpaid Overtime  
under the Fair Labor Standards Act)**

87. Plaintiff hereby repeats and realleges each allegation contained in paragraphs 1 through 89 above.

88. Although Perry was required to consistently work more than forty hours per week, she was never given overtime compensation as required by the Fair Labor Standards Act ("FLSA").

89. Defendant Collegis violated the FLSA with knowing and reckless disregard for the FLSA's requirements and is therefore liable to plaintiff for liquidated damages in an amount representing double the amount of overtime owed.

**SEVENTH CAUSE OF ACTION  
(Violation of Overtime Provisions  
of New York Labor Law)**

90. Plaintiff repeats and realleges paragraphs 1 through 89 of this Complaint as if set forth herein.

91. Defendant Collegis has willfully failed to pay plaintiff overtime hourly wages of not less than one and one-half times her regular rate of pay for each hour worked in excess of 40 hours in a workweek.

92. Defendants' failure to pay plaintiff, and other employees similarly situated, overtime compensation of not less than one and one-half times the regular rate of pay for each hour worked in excess of 40 hours in a workweek violates Department of Labor regulations promulgated pursuant to New York Labor Law §652(2). *See* N.Y. COMP. CODES R. & REGS. Tit. 42, §142-3.2 (2001).



### PRAYER FOR RELIEF

WHEREFORE, plaintiff respectfully request that this Court enter a judgment:

(a) declaring that the acts and practices complained of herein are in violation of Title VII, the Executive Law, and the Human Rights Law;

(b) enjoining and permanently restraining these violations of Title VII, the Executive Law, and the Human Rights Law;

(c) directing such affirmative action as is necessary to ensure that the effects of these unlawful employment practices are eliminated and do not continue to affect plaintiff's employment opportunities;

(d) directing defendants to reinstate plaintiff in the position she would be in but for their discriminatory and unlawful acts, and to make plaintiff whole for all earnings she would have received but for defendants' discriminatory and unlawful treatment, including, but not limited to, wages, health insurance and other fringe benefits, bonuses, pension, and other lost employment benefits;

(e) directing defendants to pay plaintiff compensatory damages for, *inter alia*, mental anguish, emotional distress and humiliation;

(f) directing defendants to pay plaintiff punitive damages for their intentional disregard of and reckless indifference to plaintiff's rights;

(g) directing defendant Collegis to pay plaintiff liquidated damages for its failure to pay her overtime;

(h) awarding plaintiff the costs of this action together with reasonable attorneys' fees; and

(i) awarding such other and further relief as this Court deems just and equitable.

Dated: New York, New York  
October 21, 2003

BERKE-WEISS & PECHMAN LLP

By: 

Louis Pechman  
488 Madison Avenue  
New York, New York 10022  
(212) 583-9500  
*Attorneys for Plaintiffs*

# **Exhibit A11**

## **R-3**

**CABLEVISION**

INTERNAL USE

DATE

LOCATION

JOB REQUESTED

RESUME ATTACHED

Julius

M/T/W

8P - 12A

Sat

6:30P - 3A

DOH 7/19

**APPLICATION FOR EMPLOYMENT**

Cablevision is an Equal Opportunity Employer. All applicants will receive consideration in accordance with federal, state and local law. In order to expedite our review and consideration, please complete this Application as accurately as possible. Incomplete Applications will not be considered. We endeavor to make reasonable accommodations to enable individuals with disabilities to complete this Application. If you need assistance in completing the application screening process, and to perform the essential functions of a job. If you need assistance in participating in the interview or hiring process, please let us know. If you believe your equal rights have been violated, please contact the appropriate federal, state, or local agencies.

**PERSONAL INFORMATION**

NAME: Last Perry First Dorothea Middle Initial R Social Security Number 062587436

Current Address: Number & Street 74 Tapscott Street City BKlyn NY State NY Zip Code 11212

Previous Address: Number & Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Home Telephone Number (718) 771 7345 Business Telephone Number (917) 3283442 Pager/Cell Phone/Other (917) 3283442 Number of years: \_\_\_\_\_

E-mail address Dorotheaperry@optonline.net

Are you currently legally authorized to work in the United States and accept this employment if it is offered by the Company?

Yes ☒ No ☐

If you are hired, you must provide evidence of such authorization in accordance with the Immigration Reform and Control Act of 1986.

Have you reached the legal minimum working age?  
Proof required upon hiring.

Yes ☒ No ☐

Have you ever been convicted of a crime other than a minor traffic infraction?

Yes ☐ No Record ☒

If YES, please give details and dates of convictions including County in which convicted.

A conviction in and of itself will not necessarily disqualify you from being considered for employment. Factors such as the number, nature and time of the offenses, the extent to which they relate to your suitability for employment in the position for which you are applying and any subsequent rehabilitation will be taken into consideration.

**JOB INTEREST**

Position Desired Technical Support Technician 2 Date Available Immediate Salary Desired \$18.39 pr. h.

Please indicate below which workdays/hours you would like to be considered for. Please do not indicate the need for any absences due to religious practices during the selected work schedules. We will address such availability after a conditional offer is made.

Day ☐ Evening ☒ Midnight ☐M-F only ☐ Flexible ☒FT only ☐ PT only ☒ PT or FT ☐M, T, W, S (Current Schedule)

NY/COLORADO/GA/LA/MICH/VA/TX

Exh. No: 1-3 Received ☒ Rejected ☐Case No.: 21 CA 154544Case Name: CSC HobbsNo. Pgs: \_\_\_\_\_ Date: 7/29/15 Rep: Doc JA0730

How were you referred to the Company or its affiliates?

- ☐ Employment Advertisement (Please Name Publication) \_\_\_\_\_
- ☒ Employment Agency (Please Name Agency) Spherion
- ☐ Company Employee Referral (Please Name Employee) \_\_\_\_\_
- ☐ Other (Please Specify) \_\_\_\_\_

Have you ever previously applied for employment with the Company or its affiliates?

Yes \_\_\_\_\_ No ✓ If yes, date(s) \_\_\_\_\_

Location \_\_\_\_\_ Position: \_\_\_\_\_

Have you ever been employed by the Company or its affiliates?

Yes \_\_\_\_\_ No ✓ If yes, date(s) \_\_\_\_\_

Location \_\_\_\_\_

Have you ever worked for a contractor or vendor that has done business with the Company or its affiliates?

Yes ✓ No \_\_\_\_\_ If yes, date(s) and name Spherion

Location Woodbury Branch Position: Technical Support Analyst 2

Are you acquainted with or related to any employee of the Company or its affiliates?

Yes \_\_\_\_\_ No ✓ If yes, please identify person and relationship \_\_\_\_\_

EDUCATION AND TRAINING (When applicable to job applying for only)

SCHOOL NAME	CITY & STATE	MAJOR COURSE OF STUDY	DEGREE/DIPLOMA/GED* RECEIVED (IF ANY)
High School <u>Murray Bergtraum HS</u>	<u>N.Y., N.Y.</u>	<u>Accounting</u>	<u>Regents Diploma</u>
College <u>Pace University</u>	<u>N.Y., N.Y.</u>	<u>Accounting</u>	<u>B.B.A.</u>
Graduate School			
Business, Technical or Trade School <u>Ace Computer Training Queens</u>		<u>MSCE, CCNA, CCNP</u>	
Other Professional/Accreditations or Licenses: <u>Forensic Examiner (Computer)</u>			
Other Job Related Training Completed: _____			

Activities, Honors, Offices held that are job related: (You need not identify any religious affiliation or other information which might indicate information about race, religion, religious creed, color, age, sexual orientation or preference, national origin, marital status, gender, ancestry, disability or handicap, veteran status or any other classification protected by federal, state or local law).

Indicate state granting GED.

**EMPLOYMENT HISTORY (Begin with the most recent position)**

List all employment for the past seven years and explain any gaps in such employment. You may include any verifiable work performed on a volunteer basis. You may exclude affiliations or volunteer work which might indicate race, religion, religious creed, color, age, sexual orientation or preference, national origin, marital status, gender, ancestry, disability or handicap, veteran status or any other classification protected by federal, state, or local law. Additional forms available.

May we contact your present employer at this time? Yes ☒ No ☐

1. **EMPLOYER:**  
Business Name

Address  
Number/Street

City/State/Zip Code

Cablevision/Spherion

Woodbury, N.Y.

Phone No.

Supervisor

Dates

From:

To:

Dale Russel

Julius Han

01/04

07/04

Job Title

Reason(s) for Leaving

Level 2 Technical Support Analyst - Still employed

2. **EMPLOYER:**  
Business Name

Address  
Number/Street

City/State/Zip Code

Collegis/N.Y. Law School

57 North Street

N.Y., N.Y. 10013

Phone No.

Supervisor

Dates

From:

To:

(212) 431 2100

Margaret Perley

04/90

10/02

Job Title

Reason(s) for Leaving

PC Specialist 2. Reorganization

3. **EMPLOYER:**  
Business Name

Address  
Number/Street

City/State/Zip Code

Phone No.

Supervisor

Dates

From:

To:

Job Title

Reason(s) for Leaving

**U.S. MILITARY SERVICE**

Branch

Military Specialty

Highest Rank

Special Training/Service School attended, if job related:

Are you prohibited from or limited in your performance of any job duties for our Company by a contract or arrangement of any kind that you have signed? Yes ☐ No ☒

(If yes, please provide a copy of the agreement to us to evaluate).

You are required to abide by all lawful, enforceable provisions of any contract you entered.

Please read the following statements carefully and sign the acknowledgment below.

1. I certify that answers given herein are true and complete to the best of my knowledge.
2. I understand that any false or misleading information given by me or any material omissions made by me, in my Application, during interview(s), or in the Company's pre-employment screening process, may result in my not being hired or later discharged.
3. I authorize the Company or its agents to conduct such investigation of the information I have provided in this Application or any other information it deems necessary for determining my eligibility for employment with the Company including information about my character, background, creditworthiness, general reputation, personal characteristics, or mode of living. I agree to indemnify and hold the Company harmless against any liability which may result from making such investigation.
4. I understand that this Application is not a contract of employment nor is it intended to be a contract of employment. I understand that if I am offered employment and I accept, I will be an "employee-at-will," having no specified term, and whose employment may be terminated at any time with or without notice, cause, or liability. I also understand that this aspect of my employment may not change absent an individual written agreement signed by both me and a Company officer, director or authorized designee.
5. I understand that, if hired, I am required to abide by all rules and regulations of the Company and that I will be responsible for the care and return of any equipment or other Company-owned property issued to me during my employment. I also understand that the Company and its benefit plan administrators retain the maximum discretion permitted by law to interpret, administer, change, alter, amend, supplement, or discontinue any policy, procedure, or benefit.
6. I will be able, if hired, to certify that I am authorized to work in the United States of America and understand that in accordance with the Immigration Reform and Control Act of 1986, I will be required to provide timely documentation of identity and employment eligibility.
7. I understand that the Company desires to provide a "substance abuse free" workplace. I understand that as an applicant I am subject to the Company's pre-employment substance abuse policy and that if hired I will be subject to additional Company policies regarding substance abuse. Furthermore, I understand that as a condition of employment, I will be required to present myself at a time and place directed by the Company for a pre-employment drug test to determine my illegal or unauthorized use of drugs. I acknowledge that if I refuse to submit to such a test or test positive, I will become ineligible for further consideration for employment with the Company, in accordance with the Company's pre-employment drug testing policy.

Applicant's  
Signature

Full Legal Name

Date

Date Signed

The Company is committed to a policy of nondiscrimination in its employment and personnel practices. Applicants are considered for all employment without regard to race, color, religious creed, religion, citizenship, sex, national origin, ancestry, genetic predisposition or carrier status (ie: sickle cell trait, Cooley's anemia or Tay-Sachs disease or atypical hereditary cellular or blood trait), age, marital, familial, or veteran status, liability for service in the armed forces, learning disability, affectional or sexual orientation or preference, past or present history of physical or mental disability (including mental retardation) or any other characteristic protected by federal, state or local law.

Thank you for taking the time to complete our Employment Application.

This Employment Application will only be valid for 90 days from the date of the Application. If you wish to be considered for employment subsequent to that date, a new Application must be completed.

# **Exhibit A11**

## **R-4**



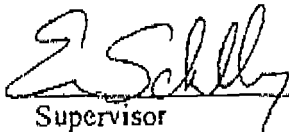
**CORRECTIVE ACTION**  
**Counseling Discussion - Attendance**

Date: 10/16/08  
Name: Dorothea Perry  
Hire Date: 07/19/04  
Length in Current Position: 1 year, 3 months  
Job Title/Grade: Technical Support Rep. II/Grade 14  
Prior Corrective Actions: 06/18/07 - Verbal Warning - Attendance  
09/19/07 - Counseling Discussion - QoSD  
09/25/07 - Written Warning - Attendance  
Schedule: Monday, 6:30 p.m. 10:00 p.m., Tuesday - Wednesday, 8:00 p.m.  
12:00 a.m., Saturday, 5:30 p.m. 12:00 a.m.

Discussion:

On 10/16/08 I had a conversation with Dorothea regarding her attendance, specifically her inability to arrive to work on-time. Since January 1<sup>st</sup>, Dorothea has been late for her shift on 56 occasions totaling 201 minutes.

I explained that Cablevision's values anticipate their commitment to providing outstanding service to our customers. Dorothea is aware that attendance is vital to the operation of the Call Center and that her presence here at the start of her shift is required. I advised Dorothea that if he is absent, late or leaves early again he is subject to further disciplinary action up to and including termination.

 10/21/08  
Supervisor Date

Exh. No: 2-4 Received ☒ Rejected ☐  
Case No.: 29 CP 154544  
Case Name: CD  
No. Pgs: 1 Date: 9/24/11 Rep.: AK

# **Exhibit A11**

## **R-5**

Employee Performance Improvement Plan

Name: Dorothea Perry

Hire Date: 02/01/04

Prior Corrective Actions: 06/18/07 - Verbal Warning - Attendance  
09/19/07 - Counseling Discussion QoSD  
09/25/07 - Written Warning - Attendance  
10/01/08 - Counseling Discussion - Attendance

Previous Performance Evaluations: 07/01/08 - 3.5, Achieved Expected Performance. Needs improvement in TAHT, QoSD and Knowledge Check.

Exh. No: 25 Received        Rejected         
Case No.: 24 CH 130594  
Case Name: CSC H01074  
No. Pgs:        Date: 9/29/15 Rep.:

Performance Improvement Plan

Date: 02/23/09  
 Name: Dorothea Perry  
 Hire Date: 02/01/04  
 Job Title/Grade: Technical Support Rep. II/Grade 14  
 From: Eric Schilling

The following Performance Improvement Plan has been prepared to assist you in meeting the standards of your position. You are currently not meeting the company standards for TAHT and QoSD. You will be given up to 60 days to improve your performance.

During this period, your supervisor will meet with you on a bi-weekly basis to assist you with the Performance Improvement Plan outlined below. Your supervisor will also make himself available to discuss any other matters that might arise in the normal course of business. The following areas listed below are in need of immediate improvement.

Problem	How to Correct	What Is Expected
<u>TAHT</u> 09/08 - 132.4% 10/08 - 126.1% 11/08 - 116.8% 12/08 - 125.9% 01/09 - 118.1% 02/09 - 131.1% (MTD)	Dorothea needs to improve her time per call by determining which troubleshooting behaviors need to be modified. She should follow the troubleshooting guide to quickly evaluate the issue.	Goal $\geq$ 110%
<u>QoS</u> 09/08 - 3.17 10/08 - 3.21 11/08 - 2.83 12/08 - 3.06 01/09 - 3.10 02/09 - 3.00	Dorothea needs to improve her closing to always include the test for excellence and the proper way to introduce the survey. In addition, during troubleshooting, she should explain the steps and document Remedy completely and accurately.	Goal $\geq$ 3.23

This Plan is designed to help improve your performance in the above stated areas within the next 60 days. If you are unable to improve and sustain improvement in the designated areas or if you engage in any conduct that violates the Company's Values/policies, (during this period and thereafter), you will be subject to further corrective action up to and including termination of your employment.

I have read, discussed and understand the contents of the Performance Improvement Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to improve in the designated areas, to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including termination of my employment. My follow up meeting is scheduled for March 9, 2009.

*Not being under protest based on Subjunctive*  
 Employee *Robert Purkay* Date *2/23/09* Supervisor *[Signature]* Date *2/23*  
 Manager *Robert Purkay* Date *2/23/09* Employee Relations Manager *[Signature]* Date *02/24/09*

Date	TAHT		QoSD		Supervisor Initial	Employee Initial	Review Date
	Goal	Actual	Goal	Actual			
As of: 03/09/09	≤110%		≥3.23				
As of: 03/23/09	≤110%		≥3.23				
As of: 04/06/09	≤110%		≥3.23				
As of: 04/20/09	≤110%		≥3.23				
Month End March '09	≤110%		≥3.23				

# **Exhibit A11**

## **R-6**

### Extension of EPIP

This note to file is notification of the extension of the previously issued EPIP, which originally ended April 20, 2009. At that time, the goals were not met. This additional extension is in effect for 30 days beginning May 4, 2009. There will be weekly review meetings and the expectations are as follows:

Date	TAHT		QoSD		Supervisor Initial	Employee Initial	Review Date
	Goal	Actual	Goal	Actual			
As of: 05/11/09	≤110%		≥3.23				
As of: 05/18/09	≤110%		≥3.23				
As of: 05/25/09	≤110%		≥3.23				
As of: 06/01/09	≤110%		≥3.23				
Month End May '09	≤110%		≥3.23				

Exh. No.: 11 Received 11 Rejected 11  
 Case No.: 24-1A157-548  
 Case Name: CSC Policy  
 No. Pgs: 4 Date: 5/15/09 Rep.: AW

I have read, discussed and understand the contents of the Performance Improvement Plan. I understand that any further occurrences of the above-referenced performance issues, any failures to improve in the designated areas, to sustain improved performance, or to comply with the Company's Values and policies may lead to further corrective action, up to and including termination of my employment.

Employee's Signature: [Signature]

Date: 5/19/09

Supervisor: [Signature]

Date: 05-04-09

Employee comments:

I can not understand the continuance of corrective action on QOSD when the improved performance is obvious. While 11% might be above "compliance" by 1% the AHT is obviously significantly better thanks to Agents suggestions. I do worry about the AHT reported on days I am not scheduled to work but get stuck on a call and the impact the high numbers generated as a result has on my overall.

TAHT Scores. In any event although I am not in total agreement I will sign off on the continuance and continue to work on my TAHT while attempting to maintain proper QOSD Scores. I still believe QOSD is far too subjective to be a consideration in anyone's performance. A guide for improvement ~~maybe but not~~



# **Exhibit A11**

## **R-7**

FORMAL WRITTEN REPRIMAND

Verbal Warning - Attendance

Date: 07/01/09

Name: Dorothea Perry

Hire Date: 07/19/04

Length in Current Position: 4 years, 11 months

Job Title/Grade: Technical Support Rep. II/Grade 14

Prior Corrective Actions: 06/18/07 ~ Verbal Warning Attendance  
09/19/07 - Counseling Discussion - Efficiency  
09/25/07 - Written Warning Attendance  
10/01/08 ~ Counseling Discussion - Attendance  
02/23/09 EPIP - Procedure (TAHT & QOSD)

Schedule: Monday, 6:30 p.m. - 12:00 a.m.  
Tuesday - Wednesday, 8:00 p.m. - 12:00 a.m.  
Saturday, 5:30 p.m. - 12:00 a.m.

As a follow-up to your Counseling Discussion on 10/01/08, this Verbal Warning outlines your continued pattern of excessive late arrivals. Since your conversation with your Supervisor on 10/01/08, you have arrived late on 75 occasions totaling 279 minutes.

Late:

10/04/08 - 5 minutes	12/03/08 - 20 minutes	02/02/08 - 1 minute	04/29/09 - 3 minutes
10/07/08 - 1 minute	12/10/08 - 1 minute	02/03/09 - 2 minutes	05/04/09 - 8 minutes
10/20/08 - 2 minutes	12/16/08 - 2 minutes	02/04/09 - 1 minute	05/06/09 - 3 minutes
10/23/08 - 1 minute	12/22/08 - 2 minutes	02/11/09 - 4 minutes	05/12/09 - 1 minute
10/25/08 - 3 minutes	12/23/08 - 5 minutes	02/17/09 - 1 minute	05/19/09 - 2 minutes
10/28/08 - 1 minute	12/24/08 - 4 minutes	02/18/09 - 1 minute	05/20/09 - 1 minute
11/03/08 - 9 minutes	12/28/08 - 1 minute	02/23/09 - 1 minute	05/27/09 - 1 minute
11/05/08 - 3 minutes	01/04/09 - 5 minutes	03/04/09 - 8 minutes	06/02/09 - 2 minutes
11/10/08 - 1 minute	01/05/09 - 1 minute	03/18/09 - 1 minute	06/03/09 - 7 minutes
11/11/08 - 1 minute	01/07/09 - 1 minute	03/21/09 - 1 minute	06/08/09 - 1 minute
11/15/08 - 1 minute	01/10/09 - 2 minutes	03/25/09 - 1 minute	06/09/09 - 2 minutes
11/17/08 - 1 minute	01/12/09 - 16 minutes	03/31/09 - 4 minutes	06/10/09 - 1 minute
11/18/08 - 3 minutes	01/13/09 - 1 minute	04/01/09 - 6 minutes	06/15/09 - 22 minutes
11/19/08 - 1 minute	01/14/09 - 1 minute	04/08/09 - 1 minute	06/16/09 - 1 minute
11/24/08 - 4 minutes	01/20/09 - 1 minute	04/13/09 - 2 minutes	06/17/09 - 6 minutes
11/25/08 - 6 minutes	01/21/09 - 2 minutes	04/14/09 - 1 minute	06/23/09 - 6 minutes
11/26/08 - 1 minute	01/25/09 - 1 minute	04/15/09 - 3 minutes	06/24/09 - 2 minutes
12/01/08 - 20 minutes	01/28/09 - 1 minute	04/20/09 - 11 minutes	06/29/09 - 20 minutes
12/02/08 - 7 minutes	01/31/09 - 1 minute	04/28/09 - 1 minute	

Exh. No: 27 Received 1 Rejected 0

Case No.: 29 CH 134,548

Case Name: ESC 46164

No. Pgs: 2 Date: 7/27/15 JAO744

In the meeting on 10/01/08, the importance of attendance in the Call Center and reporting to work on the days you are scheduled, and your pattern of arriving late were emphasized. During the conversation you stated you would make the effort to improve. You were asked if there was anything your supervisor or the Company could do to assist you and you declined these offers of assistance.

We expect that you will improve your attendance immediately. As outlined in the Employee Handbook on page 40 the Company has the right to expect an employee to arrive to work at their scheduled shift time. As a TSG Customer Service Representative, we have obligations to maintain FCC regulated ASA. Your inability to arrive to work impacts that service record as well as our Value to provide exceptional customer service.

Any further infractions will lead to additional disciplinary action up to and including termination.

Employee

Date

Supervisor

Date

Manager

Date

Employee Relations Manager

Date

# **Exhibit A11**

## **R-8**

**FORMAL WRITTEN REPRIMAND**  
**Final Written Warning - Inappropriate Behavior**

Date: 03/18/10

Name: Dorothea Perry

Hire Date: 07/19/04

Length in Current Position: 1 years, 8 months

Job Title/Grade: Technical Support Rep. II/Grade 14

Prior Corrective Actions: 06/18/07 - Verbal Warning - Attendance  
09/19/07 - Counseling Discussion - Efficiency  
09/25/07 - Written Warning - Attendance  
10/01/08 - Counseling Discussion - Attendance  
02/23/09 - EPIP - QoSD & TAHT  
07/01/09 - Verbal Warning - Attendance

Schedule: Sunday, 5:30 p.m. - 12:15 a.m., Monday, 7:00 p.m. - 12:15 a.m.  
Tuesday - Wednesday, 8:00 p.m. - 12:00 a.m.

This Formal Written Reprimand/Final Written Warning outlines your inappropriate behavior. On 03/15/10 while signed into Aspect, you were witnessed by TSG Manager Tara Schiraldi using a laptop computer on your desktop, while on the phone with a customer. TSG Supervisor Charlie Wright approached you and asked why a laptop was on the desk and was told that you were working in the registry. He then asked you to put it away and that electronic devices are not allowed on the floor. You then replied, "What is the problem? I'm only working in the registry". Charlie informed you that a manager witnessed you using the laptop and that nothing good is going to come from this. At this point, you removed the laptop from your desk and placed it into a case. This will be your final opportunity to improve.

Cablevision expects that you will refrain from these types of behaviors in the future. As outlined in the Employee Handbook on page 40 the Company has the right to expect adherence to Company rules and regulations and a commitment to provide outstanding service to our customers. Your inability to display professional work behavior and to give your customer your undivided attention is a violation of those values.

Any further infractions will lead to additional disciplinary action up to and including termination.

Employee \_\_\_\_\_ Date \_\_\_\_\_  
Tara Schiraldi 3/23/10  
Manager Date

Supervisor \_\_\_\_\_ Date 3/23/10  
Employee Relations Manager \_\_\_\_\_ Date 03/24/10

Dorothea refused to sign  
[Signature]

# **Exhibit A11**

## **R-9**

Paul Argyropoulos - Management Policies and the Final Written Warning

From: Dorothea Perry <dorothea.perry@verizon.net>  
To: <phall@cablevision.com>, <pargyrop@cablevision.com>  
Date: 3/24/2010 3:42 AM  
Subject: Management Policies and the Final Written Warning

Page 1 of 1  
Exh. No.: 29  
Received  
Rejected  
Case No.:  
Case Name: CSC HOLDINGS  
No. Pgs: 4  
Date: 3/24/10  
Rep.: [Signature]

Good Morning gentleman: I write to you about a recent set of incidents that I have encountered, and my placement on a final written warning. On March 23, 2010 I met with with Gina regarding a laptop that Tara observed on my desk. On the date documented in a final warning read to me by Gina in the presence of Charlie Wright, Tara reported to Charlie that I had a laptop on my desk. On the date documented, Charlie Wright then approached me and saw the laptop opened to the registry. He told me that "Tara came to him and freaked out about the laptop" Charlie asked that I close the laptop which I did immediately but not before showing him the screen. It was opened to the registry. I explained I was reading the Microsoft code. No further discussion ensued that day about the matter. For your information, the laptop's OS was completely disabled/nonfunctional.

On my last one-on-one with Charlie we discussed the matter of the laptop again. He concurred that he saw a registry. He explained the position of the company and I informed him that I would never have a laptop on my desk again. I inquired of him why Tara, a manager, didn't address the issue with me immediately instead of sending him back. He could offer no explanation. Charlie and I discussed the term "electronic device" I asked if my phone was on my desk and I had to refer to it for the calendar would that be wrong, considering Cablevision has locked the standard windows calendar that allows me a quick reference? He only informed me that he didn't know why the calendar was locked. I asked him if I read a Kindle, electronic book, would that be frowned upon. I recall him saying reading a book could be a problem. I told him in a very open conversation, and I might add respectful as it involved an exchange of ideas, that I didn't agree that reading could be harmful. Based on the principle that reading could be an issue, that explains why I was approached by Argent once who wanted to know what the paperwork on my desk was. He asked if I was studying. I was in fact reading Management Principles oddly enough. At the point of Argent questioning me, I was reviewing the Management Grid and gaining a grasp on McGregor's concept of Theory X and Theory Y styles of management. I finally understood what was going on with supervisors at Cablevision. I surmized that the supervisors do not understand where they stand on the management grid or the concepts of Theory X and Theory Y. I expressed my opinions regarding these theories to Charlie during the one on one. At the conclusion of the one on one Charlie indicated that he didn't know if they would take the laptop issue further which kind of shocked me. If I had committed an egregious offense e.g reviewing porn or even surfing the internet I could possibly understand taking the matter further. Taking the matter further because someone was looking at a registry I explained to Charlie I couldn't understand but then again that's the produce or perish, all employees are bad concept of management.

On a more positive note, during the one on one with Charlie I presented some

I hope you can find it in yourself to receive this communication with an open mind and not to see it as a direct challenge to management. I, like all, would simply like to be able to work with peace of mind, in a team spirited environment with managers/supervisors that seek to counsel and mentor and allow me room for growth. I think the Theory X, produce or perish style of management at the Call Center which is so obvious and innate should and eventually will be phased out. I can not work, I can not sleep, I can not focus, I can not enjoy my time at work knowing I am the subject of someone or a group of persons scorn or contempt.

Thank you again.



ideas to make the call center floor work more efficiently which could potentially lead to reductions in expenses. Now would not be the time to go into detail about this but I'm sure if he is questioned he could elaborate on the conversations both good and bad.

Let me advise you that I had previously asked to be transferred from under Charlie's supervision because although I had worked with Cablevision for approximately 6 years he had never gone out of his way to even so much as say hello to me. Upon becoming my supervisor he introduced himself as Charlie Wright and within 5 minutes advised me that I could be placed on an EPIP if my stats were not up to par and the EPIP would not be renewed. I discussed the matter, which I considered a threat, with Rich (manager) because I was afraid I'd be targeted, I was a little shaken up by that introduction. Rich advised me that he would consult with management on the issue. I heard nothing more of the request and after several days I asked Rich about the status of the switch. Rich advised me that someone should have gotten back to me and that he would check. After some consideration, I advised Rich I would try to work with Charlie so I would withdraw my request. I really didn't want to cause any unnecessary problems for myself. I did speak to my previous supervisor, Anthony, and informed him that I thought my days were numbered because Charlie reported to Gina and that in the past it seemed that I was targeted for termination already by her handling of previous EIPs for QOSD and AHT. During that time although I'd meet my goal for one but not the other (having missed AHT by 1 point) I was put back on the EPIP for both because, as it was explained, "we can not break up the set" For 3 months I was a nervous wreck and sick with anxiety. And then I met my goals after working aggressively, with no direction or assistance from my supervisor or manager, to remove myself from an EPIP. And then something wonderful happened, a minor shift change granted me a reprieve. I had a new manager and a new supervisor. Under Anthony and Rich my stats improved. I felt a breath of fresh air and gained renewed faith in management on the call center floor. Anthony worked to help me understand how to reach the necessary goals. I would say that Anthony and Rich were fair but firm. Anthony encouraged teamwork and demonstrated himself to be a true team leader. A 9/9 supervisor. Because of Anthony's hours I would occasionally defer requests or questions to Chet, my previous supervisor, but was met with some disdain for no apparent reason. He once responded that I should address a credit request to my supervisor. He refused to help me. Upon the change of supervisors I noticed that Chet would not speak to me for reasons that I couldn't understand. I believe Chet thought I requested a new supervisor and took offense to the change, but I had not made any such request. I questioned Anthony why supervisors would not speak to subordinates and how a supervisor could go six years without ever speaking to someone. I explained that I've seen several supervisors some I know and some I don't know e.g. Eric, Carolyn, Val and himself, go out there way to engage people they work with whether they were on their teams or not, real team leaders. I've seen managers meet subordinates with smiling eyes, and nods e.g. Kathy, Rich and forgive me for not knowing his name, the other manager that looks like a Soprano star. But then there are the supervisors that simply refuse to speak thereby not showing techs the same smile they ask techs to give to customers verbally on the phone.

As I suspected long before it happened I would again be brought to Gina's office for a reprimand. A final warning. I advised Gina that I would not sign the final warning

because I thought I was being target for dismissal and the final warning was discriminatory and the information contained in it was flawed. She included quotes from Charlie Wright that was absolutely incorrect. As I explained my position in a tone that could not be classified as threatening, she refused to listen to me, she talked over me, and she offered her reason as to why the laptop incident would not be taken lightly. She explained "You're being given a final because you've been here long enough. " She qualified the term electronic device when I asked why others were not being given final written warnings for the telephones on their desks in plain view, some of which are highly intelligent e.g Androids, Iphones etc which have far more functionality than a six year old laptop. She explained "a laptop is different, and even though Charlie saw the registry we can't say what you were doing before then" She went on further to say "people could be stealing client material". I suggested that an electronic device whether it is a laptop or a smart Iphone/Android phone, absolutely has to warrant the same discipline and that you can't target one person without addressing all the other devices or else it is simply an act of singling one out" Gina thought I was being disrespectful because I was offering my opinion. I asked to be allowed to speak, not just to offer my opinion but to be treated with the courtesy of being an adult and not a child. I explained that if I was an insubordinate employee that when Mr. Wright asked me to close the monitor I would have gave him lip service. She asked what I did when he did approach me. I answered "immediately adhered to his requests and authority and closed it". Again at this point I explained to her that the Theory X position was counter productive and not good for employee moral, and that supervisors/managers should take the position of mentoring and counseling unless acts are so aggregious it would call for nothing more than a extreme management decision. I suggested that "pulling an employee's coat tail to an act that could be detrimental to their employment was far different than pulling the rug from under an employee during the Nations difficult econony which affects large masses of American people. I went on to advise her that although I've seen a manager with a phone viewing pornography I said nothing. Although I've discussed the matter with other people I did not report the supervisor because he has a family. Nor did I report a particular supervisor I suspected of drug use in the ladies room because I could not absolutely attest to drug consumption.

I suggested to Gina that employee moral could be improved by managers/supervisors developing a better relationship with the techs. Gina defended herself by saying she has a wonderful relationship with many techs and she speaks to them all. I responded "You don't speak to me", and she interjected "You dont speak to me" This speaks to the enormity of the situation at hand. I am not a good person , and I don't deserve to work at Cablevision because "I don't speak". Gina suggested that other techs visit her office when they have time, and on their breaks. I asked her "when do I have time?" I realize now that the people that I am in trouble with are all the women that I don't take enough initiative to speak to. Tara, Gina, and there are at least a couple of other supervisors I have not taken enough time to "speak to" because I've been so busy. So what does this have to do with anything? I am not being judged by the type of tech I am but by my abilties to acknowledge and speak to and befriend supervsisors.

I appreciate your attention so I am going to take this special opportunity to give kudos to one of the most special manager I have encountered at Cablevision. Kathy exudes professionalism, strength and a pure knowledge of the

management principles that will take Cablevision to the next level. She didn't wait for people to approach her and befriend her. She smiled, acknowledged us, and would speak in passing. Tough as nails but fair. You always knew where you stood and never feared a conspiracy against you.

I am sorry I have been judged, targeted and that my intelligence, and fearless attempts to offer opinions have cast me in the wrong light.

I took this opportunity to say all that I could possibly remember at 3:00 a.m in the morning because I feel when all the information is deciphered, something will come out of it to improve the call center. Employee moral will be greatly improved, superior supervisors will be identified, and others will receive appropriate management training, and policies will be reviewed to allow for equal treatment of all employees and prevent the singling out because "you've been here long enough", or "you don't speak"

I would love to speak to either of you separately or collectively at your earliest convenience. Forgive any typos as it is late, I am tired, and still a little upset by all of this.

Good night, and thank you for your attention.

Dorothea

# **Exhibit A11**

## **R-10**

**Paul Argyropoulos - Management Policies and the Final Written Warning (part 2)**

---

**From:** Dorothea Perry <dorothea.perry@verizon.net>  
**To:** <phall@cablevision.com>, <pargyrop@cablevision.com>, <phall@cablevision.com>  
<pargyrop@cablevision.com>  
**Date:** 3/24/2010 12:35 PM  
**Subject:** Management Policies and the Final Written Warning (part 2)

---

When I rethink the situation at the Call Center I can not think of anything I've done to offend anyone. What I have asked for of management are the same things management has asked of me when dealing with customers.

1. A smile or gentle nod of acknowledgement.
2. Assurance of help
3. Allow the customer to speak without interrupting
4. Act professionally when dealing with difficult situations.
5. Do not yell at the customer
6. Keep promises.

Exh. No. 210 Received ☒ Rejected ☐  
Case No.: \_\_\_\_\_  
Case Name: CSC for D1105  
No. Pgs: 2 Date: 9/10/15 Recd: RCR

I learn by management's example. How can I portray to a customer what is not being portrayed to me. Gina spoke down to me, she spoke over me, she interrupted me. She sought to demean me and punish me as she would a child. I advised her in the most respectful way that I could that I was a woman.

What have I asked for that has not been reasonable?

What I do think is unreasonable and illegal is Tara and Gina's qualification of the terms "electronic device" just for me. The distinction between a mini-computer or palm held computer/phone from a larger laptop, and the direct statement "I am treating YOU this way because you've been here long enough to know" Every tech, male and female, of all races, creeds and colors have been given the same statement and the rule should apply to one as equally as the other whether they've been here for 6 months or 6 years. I allege that is not the case, and for that reason I am offering this information to confirm my belief that I am a target for termination.

I affirm that the statements contained in the legal document Gina has prepared and presented to Human Resources are inaccurate. I affirm that I did witness a supervisor perusing pornography on his hand held, I affirm that I did see a supervisor and her friend in the bathroom on more than one occasion the same day acting suspiciously but can not swear to seeing drug paraphernalia. I will suggest to you though that not everyone would pass a random drug test if given.

I do not have a history of being deemed a problem employee. I take my job and responsibilities seriously. I do have a history, if you will, of filling up the suggestion box with ideas. In short, I believe in the Theory Y style of management. All employees are inherently good and only egregious acts against the company warrant consideration for termination e.g stealing, assault, drug and alcohol consumption.

# **Exhibit A11**

## **R-11**

**COUNSELING DISCUSSION**  
**Performance**

Date: 06/08/10

Name: Dorothea Perry

Hire Date: 07/19/04

Length in Current Position: 1 year, 10 months

Job Title/Grade: Technical Support Rep. II/Grade 14

Prior Corrective Actions: 06/18/07 - Verbal Warning - Attendance  
09/19/07 Counseling Discussion - Efficiency  
09/25/07 - Written Warning - Attendance  
10/01/08 Counseling Discussion Attendance  
02/23/09 - EPIP - QoSD & TAHT  
07/01/09 - Verbal Warning - Attendance  
03/18/10 Final Written Warning - Inappropriate Behavior

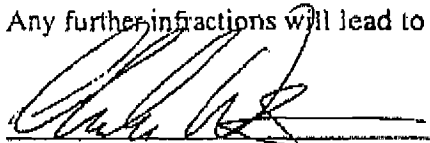
Schedule: Sunday, 5:30 p.m. - 12:15 a.m., Monday, 7:00 p.m. - 12:15 a.m.  
Tuesday - Wednesday, 8:00 p.m. - 12:00 a.m.

Discussion:

On 05/10/10 I had a conversation with Dorothea to discuss her incorrect documentation of Remedy Slow Speed troubleshooting. I explained the company's policy regarding the need of proper documentation of Slow Speed calls and Dorothea advised that she understands the policy. It was explained to Dorothea that she has been coached on this behavior previously and has shown improvement in the area and needs to continue to do so. Dorothea had 2 errors on 05/09 causing the improper tracking of slow speed in these areas/accounts. The importance of proper documentation of calls, allows the department to track trends in areas troubled areas.

We expect that you will improve your performance immediately. As outlined in the Employee Handbook on page 39 the Company has the right to expect a commitment to provide outstanding service to our customers. Your inability to meet or exceed departmental goals impacts our Value to provide exceptional customer service.

Any further infractions will lead to additional disciplinary action up to and including termination.

  
Supervisor \_\_\_\_\_ Date 6/8/10

Exh. No. 211 Received ☒ Rejected ☐  
Case No.: \_\_\_\_\_  
Case Name: CS C HOLLINGS  
No. Pgs. 1 Date 9/20/15 Rep.: Per

# **Exhibit A11**

## **R-12**



**CORRECTIVE ACTION**  
**Verbal Warning - Performance (TAHT)**

Date: 03/10/11

Name: Dorothea Perry

Hire Date: 07/19/04

Length in Current Position: 2 years, 8 months

Job Title/Grade: Technical Support Rep. II/Grade 14

Prior Corrective Actions:

- 06/18/07 - Verbal Warning - Attendance
- 09/19/07 - Counseling Discussion - Performance (QoSD)
- 09/25/07 - Written Warning - Attendance
- 10/01/08 - Counseling Discussion - Attendance
- 02/23/09 - EPIP - QoSD & TAHT
- 07/01/09 - Verbal Warning - Attendance
- 03/18/10 - Final Written Warning - Inappropriate Behavior
- 06/08/10 - Counseling Discussion - Performance (Remedy Documentation)
- 11/07/10 - Counseling Discussion - Performance (TAHT)
- 12/05/10 - Verbal Warning - Performance (Remedy Documentation)
- 12/06/10 - Counseling Discussion - Failure to Follow Procedure

Schedule: Sunday, 5:30 p.m. - 12:15 a.m., Monday, 7:00 p.m. - 12:15 a.m., Tuesday - Wednesday, 8:00 p.m. - 11:00 p.m.

Discussion:

As a follow-up to the Counseling Discussion on 11/07/10, this Verbal Warning outlines your continued pattern of poor performance. Since the meeting with your supervisor you continue to fail to meet the departmental goal for TAHT.

TAHT		
Date	Goal	Actual
12/10	≤110%	122%
01/11	≤110%	120%
02/11	≤110%	121%

Exh. R12 Received ☒ Rejected ☐

Case No. \_\_\_\_\_


Case Name CSC HOLDINGS

No. Pgs. 2 Date 9/20/15 Rep. for

In the previous meeting, the importance of performance in the Call Center was emphasized. During the conversation you stated you would make the effort to improve.

We expect that you will improve your performance immediately. As outlined in the Employee Handbook on page 37 the Company has the right to expect a commitment to provide outstanding service to our customers. Your inability to meet or exceed departmental goals impacts our Value to provide exceptional customer service.

Any further infractions will lead to additional disciplinary action up to and including termination.

	3/15/11
Supervisor	Date

# **Exhibit A11**

## **R-13**

**Tara Kniss - Re: Response to your email to Jim Dolan**

---

**From:** Tara Kniss  
**To:** Dorothea Perry  
**Date:** 3/5/2012 1:10 PM  
**Subject:** Re: Response to your email to Jim Dolan

---

Dorothea,

Please let me know if you would like to speak with me regarding the concerns you raised in your email to Mr. Dolan and when you are available this week.

Thank you,

Tara

>>> Dorothea Perry 3/4/2012 11:15 PM >>>  
Hi Ms. Kniss:

I am surprised to have received a response from you on Sunday. I have had the opportunity to express some of my concerns about TSG, in the presence of Cablevision's assigned lawyers, last fall during my NYS Human Rights interview. I probably came off as being emotional and completely unprepared as I tried to explain the department. It is so really hard to express to outsiders what exactly is going on in this department that I was frustrated. I had no hard evidence, just speculations. I could not produce records because documentation is withheld from us, even as it pertains to us. I do not have any have a report card to refer to.

Most people can not identify with the psychological impacts of a given situation unless they have dealt with it personally. I believe most TSG representatives are of one accord when it comes to identifying the problems. I can contact you this week for further discussion if you would like.

Thank you.

>>> Tara Kniss 3/4/2012 8:09 PM >>>

Hi Dorothea,

I am part of corporate HR not TSG HR. Would you like to set up a time to speak over the phone about the concerns you raised to Mr. Dolan?

Thanks,  
Tara

-----Original Message-----

**From:** Dorothea Perry  
**To:** Tara Kniss <TKNISS@cablevision.com>

**Sent:** 3/4/2012 8:03:46 PM  
**Subject:** Re: Response to your email to Jim Dolan

Hi Tara:

Exh. No. 213 Received ☒ Rejected ☐  
Case No.: \_\_\_\_\_  
Case Name: CSC HOLDINGS  
No. of pgs. \_\_\_\_\_ Date: 9/9/15 Rep.: Don

I understand that Mr. Livoti would like for me to speak to you regarding my letter which was written to Mr. Dolan. Of course I would like to but my experiences with TSG's division of Human Resources has left me very distrustful.

Please take a look at previous conversations which I have had with human resources director Paul Argyropoulos (see below), which dates over a year. My utilizing the open door policy to voice complaints landed me with yet another write up, initiated by Paul who professed innocence for any part of the write up. He blamed it on my "management" but I was sitting with Charles Wright for my one on one when the order came from "Paul" to write me up. I believe it was in retaliation for me voicing my complaints about TSG and an attempt at psychological terrorism and intimidation. My experience with TSG Human Resources is that they will resort to lies, cover ups, and acts of intimidation to keep the staff in order, and when that does not work they simply manipulate the stats to remove those targeted for dismissal.

---

The information transmitted in this email and any of its attachments is intended only for the person or entity to which it is addressed and may contain information concerning Cablevision and/or its affiliates and subsidiaries that is proprietary, privileged, confidential and/or subject to copyright. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient(s) is prohibited and may be unlawful. If you received this in error, please contact the sender immediately and delete and destroy the communication and all of the attachments you have received and all copies thereof.

---

----- Forwarded Message -----  
(Me to Paul)

In light of all our conversation, by no stretch of the imagination do I believe this is a battle nor would I ever win if it was. I am simply letting my feelings be known through the open door policy. I believe the treatment I am being subjected to here at Cablevision is psychological terrorism and with that being said I thank you for your attention.

It is an "inappropriate" write up when the procedure of sending an email upon arrival was suggested by representatives of Cablevision i.e my supervisor, as it is also inappropriate to manipulate reports (i.e QOSD) for the purposing of putting people on corrective action. I think the latter could definitely be considered as orchestrating a termination.

I'm not one for being paranoid, but I am a little uneasy here and feel targeted by management for properly using the open door policy to voice my opinions. I feel a stealthy presence of harassment in the air and it is mentally unsettling.

>>> Paul Argyropoulos 12/20/2010 11:31 AM >>>  
Dorothea,

The "write up" was not suggest by me, but when asked by your management team if it was appropriate, I answered that it was. The Employee Handbook states that employee's must call prior to the start of their shifts. In the past 4 months, there have been 21 occasions in which you have either arrived without calling SPOC or notified SPOC after you arrived.

You aren't being punished for not having a phone, in fact you have not been issued a corrective action, we have counseled you on the proper procedure of notifying the department prior to the start of your shift should you not be able to make it here on-time. This is a consistent practice that we have done with other employees. Going forward, if you aren't able to make it to the call center for the start of your shift, please contact us prior to the start of your shift.

Paul Argyropoulos  
Director, Administration

TSG-Jericho & CSOC  
(516) 803-0606  
pargyrop@cablevision.com

>>> Dorothea Perry 12/8/2010 12:21 AM >>>

I now have a write up for having a defective phone, documented with AT&T, and no money to replace it as of yet. The write up appears to be suggested by you. Is this correct? Just another example of exactly what I've written about. I do not think I should speak to you any further about my issues. I'd rather speak to a psychologist. I do not believe there is anyone that can be trusted at the TSG management level. My other options would be to take my issues further up the ladder. There is a culture here at TSG that is dangerous, and I feel constantly threatened.

>>> Paul Argyropoulos 12/7/2010 3:58 PM >>>  
Dorothea,

I'll take a look into the issue. I will be out of the office beginning tomorrow and returning next Tuesday, so I'll touch base with you when I have some information.

Paul Argyropoulos  
Director, Administration  
TSG-Jericho & CSOC  
(516) 803-0606  
pargyrop@cablevision.com

>>> Dorothea Perry 12/7/2010 12:22 AM >>>

I allege that I was curiously receiving low scores for quite a while until my supervisor addressed the matter with the supervisor in charge of QOSD only after he had another lead review the quality of my calls then yet another QOSD specialist do the same. Neither of them could understand the low grades. Afterwards my grades shot up. THEN again a series of bad QOSD scores despite no change in my delivery nor performance.

With respect to the slow speed issues, I've been told the workaround to this problem (and yes there is always a workaround to everything around here) is to not use the slow speed codes thus preventing a mark against me if I fail to use a drop down box. I do not use workarounds though.

I allege that some of the numbers are skewed. My schedule was modified months ago, my availability and adherence was affected, and this matter was never retroactively fixed, despite it being proven that the fault was with Cablevision employees.

In short I believe we only have control of our attendance, our KC scores, and our TAHT until the numbers begin to get massaged.

>>> Paul Argyropoulos 12/6/2010 11:02 AM >>>  
Dorothea,

So we are on the same page, are you alleging that the employees that scores your QoSD are intentionally grading your QoSD scores low to prevent you from progressing?

I took some time to do some research and since June, you have made 4 slow speed documentation errors (16 for the year). If your customer's issue is slow speed, I would recommend using the appropriate slow speed codes. If you follow the procedure, and add in the appropriate information including speeds, then you will be fine.

Paul Argyropoulos  
Director, Administration

TSG-Jericho & CSOC  
(516) 803-0606  
pargyrop@cablevision.com

>>> Dorothea Perry 12/6/2010 12:19 AM >>>  
Good Morning Paul:

I have been speaking to Charlie about some issues that greatly concern me involving my career progression dashboard. I made the mistake of advising him by way of email how close I was to progressing having met all but 1 (TAHT) of the goals for progression. Since that time I've noticed that other scores, which I was not in the least concerned about, have plummeted. I do not suspect Charlie has anything to do with the submission of scores, nor the manipulation of data because he seems just as bewildered as I. Nonetheless, there is something that is suspiciously wrong. I am not a conspiracy theorist but neither am I a fool. I can control certain categories on the progression dashboard making those scores irrefutable, however, there are others scores i.e. QOSD which are highly questionable and I suspect the low scores are acts of malice. Why? I can not be certain but probably because I am not in the "clique". I have never had any issues with the staff here at Cablevision outside of expressing my honest viewpoints to management. Then there are other scores, i.e. # of calls transferred to the survey, which helps to derive the SER score that I know is not being accurately presented. As I told Charlie in the past, I am transferring EVERY call to the survey. How are these numbers so low? I have for many years maintained a low profile. My goal when I come to Cablevision is to work, not win popularity contests or join "cliques".

With respect to including slow speed scores in my remedy documentation, that too, makes me absolutely paranoid. I've been advised by some people not use the slow speed codes to avoid issues with management but in my position that would not accurately present the subscribers issues for me to avoid a code because I am paranoid to use it. I know I am presenting the subscribers issues so I am surprised when I show up on a report. Do I have to screen capture every slow speed ticket I create to protect myself? Do I not use it? And why would I get a write up if the last missing code was in June? which was 6 months ago?

What I am saying in short is that I suspect acts of retaliation which are definitely contrary to your "Integrity Matters" campaign. I would like the issues looked into.

Thank you.

>>> Tara Kniss 2/28/2012 3:37 PM >>>  
Hi Dorothea,

My name is Tara Kniss and I work on the Employee Relations team in Corporate (Bethpage).  
I am in receipt of your email to Jim Dolan and would like to set up time to speak to you at your convenience.  
Please let me know what days and times work best for you.

I look forward to hearing from you.

Thank you.

Tara Kniss

Tara Kniss, PHR  
Employee Relations Manager  
HR-C&C Corp  
(516) 803-3012

**Exhibit A11**  
**R-14**





ANDREW M. CUOMO  
GOVERNOR

(MP)

NEW YORK STATE  
DIVISION OF HUMAN RIGHTS

NEW YORK STATE DIVISION OF  
HUMAN RIGHTS on the Complaint of  
  
DOROTHEA PERRY,  
  
Complainant,  
v.  
  
CABLEVISION SYSTEMS CORPORATION,  
Respondent

VERIFIED COMPLAINT  
Pursuant to Executive  
Law, Article 15

Case No.  
10149106

Exh. No. 214 Received        Rejected         
Case No.:         
Case Name: CS HOLDING  
No. Pgs:        Date: 9/30/15 Rep:       

Federal Charge No. 16GB103544

I, Dorothea Perry, residing at 74 Tapscott Street, Brooklyn, NY, 11212, charge the above named respondent, whose address is 200 Jericho Quadrangle, Jericho, NY, 11753 with an unlawful discriminatory practice relating to employment in violation of Article 15 of the Executive Law of the State of New York (Human Rights Law) because of age, disability, sex, race/color

Date most recent or continuing discrimination took place is  
6/1/2011.

The allegations are

PLEASE SEE COMPLAINT AND ATTACHMENTS

Based on the foregoing, I charge respondent with an unlawful discriminatory practice relating to employment because of age, disability, sex, race/color, in violation of the New York State Human Rights Law (Executive Law, Article 15), Section 296

I also charge the above-named respondent with violating Title VII of the Civil Rights Act of 1964, as amended (covers race, color, creed, national origin, sex relating to employment) I also charge the above-named respondent with violating the Americans with Disabilities Act (ADA) (covers disability relating to employment) I also charge the above-named respondent with violating the Age Discrimination in Employment Act (ADEA) as amended (covers ages 40 years of age or older in employment) I hereby authorize SDHR to accept this verified complaint on behalf of the U.S. Equal Employment Opportunity Commission (EEOC) subject to the statutory limitations contained in the aforementioned law(s).

RECEIVED

JUN 08 2011



New York State Division of Human Rights  
Complaint Form

REGION IA

RECEIVED

JUN 08 2011

BROOKLYN REGIONAL OFFICE

CONTACT INFORMATION

My contact information:

Name:

Address:

City:

Apt or Floor #:

State:

Zip:

REGULATED AREAS

I believe I was discriminated against in the area of:

☒ Employment

☐ Education

☐ Volunteer firefighting

☐ Apprentice Training

☐ Boycotting/Blacklisting

☐ Credit

☐ Public Accommodations  
(Restaurants, stores, hotels, movie  
theaters, amusement parks, etc.)

☐ Housing

☐ Labor Union, Employment  
Agencies

☐ Commercial Space

I am filing a complaint against:

Company or Other Name:

Address:

City:

State:

Zip:

Telephone Number:

(area code)

Individual people who discriminated against me:

Name:

Title:

Name:

Title:

DATE OF DISCRIMINATION

The most recent act of discrimination happened on:

06  
month

day

11  
year

### BASIS OF DISCRIMINATION

Please tell us why you were discriminated against by checking one or more of the boxes below.



You do not need to provide information for every type of discrimination on this list. Before you check a box, make sure you are checking it only if you believe it was a reason for the discrimination. Please look at the list on Page 1 for an explanation of each type of discrimination.

Please note: Some types of discrimination on this list do not apply to all of the regulated areas listed on Page 3. (For example, Conviction Record applies only to Employment and Credit complaints, and Familial Status is a basis only in Housing and Credit complaints). These exceptions are listed next to the types of discrimination below.

I believe I was discriminated against because of my:

<input checked="" type="checkbox"/> <b>Age</b> (Does not apply to Public Accommodations) Date of Birth: 1/27/67	<input type="checkbox"/> <b>Genetic Predisposition</b> (Employment only) Please specify:
<input type="checkbox"/> <b>Arrest Record</b> (Only for Employment, Licensing, and Credit) Please specify:	<input type="checkbox"/> <b>Marital Status</b> Please specify:
<input type="checkbox"/> <b>Conviction Record</b> (Employment and Credit only) Please specify:	<input type="checkbox"/> <b>Military Status</b> Please specify:
<input type="checkbox"/> <b>Creed / Religion</b> Please specify:	<input type="checkbox"/> <b>National Origin</b> Please specify:
<input checked="" type="checkbox"/> <b>Disability</b> I have been harassed based on a disability. I have an appointment for an injury I take medication for anxiety.	<input checked="" type="checkbox"/> <b>Race/Color or Ethnicity</b> Black American Please specify: Not everyone at AbleSign is required to submit the vast amount of documentation to obtain FMLA or an accommodation.
<input type="checkbox"/> <b>Domestic Violence Victim Status</b> (Employment only) Please specify:	<input checked="" type="checkbox"/> <b>Sex</b> Please specify: <input checked="" type="checkbox"/> Female <input type="checkbox"/> Male <input type="checkbox"/> Pregnancy <input type="checkbox"/> Sexual Harassment
<input type="checkbox"/> <b>Familial Status</b> (Housing and Credit only) Please specify:	<input type="checkbox"/> <b>Sexual Orientation</b> Please specify:
<input checked="" type="checkbox"/> <b>Retaliation</b> (if you filed a discrimination case before, or helped someone else with a discrimination case, or reported discrimination due to race, sex, or any other category listed above) Please specify:	



Before you turn to the next page, please check this list to make sure that you provided information *only* for the type of discrimination that relates to your complaint.

## EMPLOYMENT DISCRIMINATION

Please answer the questions on this page only if you were discriminated against in the area of employment. If not, turn to the next page.

How many employees does this company have?

- a) 1-3    b) 4-14    c) 15 or more    d) 20 or more    e) Don't know

Are you currently working for the company?

☒ Yes

Date of hire:

01 2004  
Month day year

What is your job title?

Technical Support Analyst

☐ No

Last day of work:

( ) ( ) ( )  
Month day year

What was your job title?

☐ I was not hired by the company

Date of application:

( ) ( ) ( )  
Month day year

## ACTS OF DISCRIMINATION

What did the person/company you are complaining against do? Please check all that apply.

- ☐ Refused to hire me  
☐ Fired me / laid me off  
☐ Did not call me back after a lay-off  
☐ Demoted me  
☐ Suspended me  
☐ Sexually harassed me  
☒ Harassed or intimidated me (other than sexual harassment)  
☐ Denied me training  
☐ Denied me a promotion or pay raise  
☐ Denied me leave time or other benefits  
☐ Paid me a lower salary than other workers in my same title  
☐ Gave me different or worse job duties than other workers in my same title  
☒ Denied me an accommodation for my disability  
☐ Denied me an accommodation for my religious practices  
☐ Gave me a disciplinary notice or negative performance evaluation

☒ Other:

Continual Harassment regarding an established injury  
Advised me when I should take medications  
Secured illegally medical documentation by  
which they determine accommodations.  
Requested much more documentation to secure  
an accommodation than others are asked for

Due to an injury and an  
accommodation request,

Harassed me about an accommodation  
request. Advised me when to take meds

DESCRIPTION OF DISCRIMINATION - for all complaints (Public Accommodation, Employment, Education, Housing, and all other regulated areas listed on Page 3)

Please tell us more about each act of discrimination that you provided information about on Pages 3 and 4. Please include dates, names of people involved, and explain why you think it was discriminatory. **PLEASE TYPE OR PRINT CLEARLY.**

Please See Narrative Attached.

I Do BELIEVE THAT most whites are granted accommodations easier than blacks. I was harassed because of my age, disability, race, and color.

I am 44 years old, and was injured on the job by a slip and fall. The injury has been substantiated. Cablevision prefers to replace injured disabled, older employees with younger staff.

Cablevision employ far more men than women in the technical support group.

---

If you need more space to write, please continue writing on a separate sheet of paper and attach it to the complaint form. **PLEASE DO NOT WRITE ON THE BACK OF THIS FORM.**

### NOTARIZATION OF THE COMPLAINT

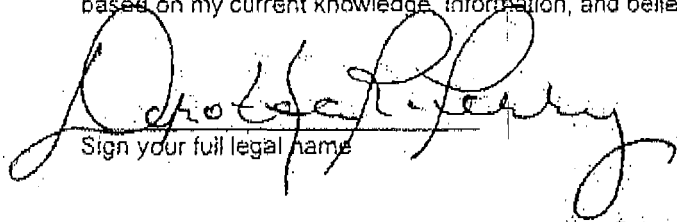
Based on the information contained in this form, I charge the above-named Respondent with an unlawful discriminatory practice, in violation of the New York State Human Rights Law.

By filing this complaint, I understand that I am also filing my employment complaint with the United States Equal Employment Opportunity Commission under the Americans With Disabilities Act (covers disability related to employment), Title VII of the Civil Rights Act of 1964, as amended (covers race, color, religion, national origin, sex relating to employment), and/or the Age Discrimination in Employment Act, as amended (covers ages 40 years of age or older in employment), or filing my housing/credit complaint with HUD under Title VIII of the Federal Fair Housing Act, as amended (covers acts of discrimination in housing), as applicable. This complaint will protect your rights under Federal Law.

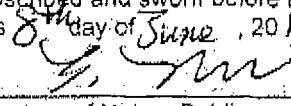
I hereby authorize the New York State Division of Human Rights to accept this complaint on behalf of the U.S. Equal Employment Opportunity Commission, subject to the statutory limitations contained in the aforementioned law and/or to accept this complaint on behalf of the U.S. Department of Housing and Urban Development for review and additional filing by them, subject to the statutory limitations contained in the aforementioned law.

I have not filed any other civil action, nor do I have an action pending before any administrative agency, under any state or local law, based upon this same unlawful discriminatory practice.

I swear under penalty of perjury that I am the complainant herein; that I have read (or have had read to me) the foregoing complaint and know the contents of this complaint; and that the foregoing is true and correct, based on my current knowledge, information, and belief.

  
Sign your full legal name

Subscribed and sworn before me  
This 8<sup>th</sup> day of June, 2011.

  
Signature of Notary Public

County:

Commission expires:

Yi Zhu  
Commissioner of Deeds, City of New York  
NO.5-1754  
Cert. Filed in New York County  
Commission Expires 10-01-2012

**Please note: Once this form is notarized and returned to the Division, it becomes a legal document and an official complaint with the Division of Human rights. After the Division accepts your complaint, this form will be sent to the company or person(s) whom you are accusing of discrimination.**



From: Dorothea Perry (dorothea.perry@verizon.net)  
To: info@laborlawsny.com;  
Date: Sat, June 4, 2011 12:59:41 AM  
Cc:  
Subject: Worker's Compensation Retaliation, HIPPA Law Violations, ADA violations

Good Morning,

My name is Dorothea Perry, 44 years old and I live in Brooklyn New York. I work for Cablevision of NY in the TSG (Technical Support Group). I have been with the company as a part time employee for 7 1/2 years. On May 3, 2010 I fell while working resulting in a number of medical problems. My case is before the Worker's Compensation Board, and we are just figuring up the % of loss that my judgment will be based on. For the seven years that I worked with Cablevision I never revealed to anyone that I had a full-time job. It was only revealed recently during the Worker's Compensation Hearing when both jobs were calculated by the Workers Comp Board to determine the salary by which a judgment would be based.

While this Compensation claim has been playing out I requested a medical accommodation which was approved based on the injuries and side effects of various medicines that I have to take to control pain and anxiety. The accommodation I was told by my human resources department would be determined through my submissions of medical documentation to Genex, Cablevision Team, and independent medical examiner offsite. After learning of my other job through the compensation case, Cablevision has since begun questioning my need for a medical accommodation, and although the accomodation was approved through June 30th, Cablevision has requested that I submit more medical documents including doctor's affirmations, test results, lab results, and doctor's notes. I submitted three doctor's affirmations and over 30 pages of medical documentation but was then asked by Cablevision to have personal conversations with my doctors. Needless to say I feel as if this harassment is in part retaliation because of the Worker's Compensation Claim I filed and their realization that the judgment would be far more than they anticipated. Their requests and barrage of emails to my home email account and work email is disturbing, and as I've advised them in the past bordering on harassment.

In the course of exchanging emails with one of the human resources managers about this accommodation, I was advised that the human resources group were "in possession" of one of my doctor's reports. I demanded to know how they came to be in possession of such a document to which they replied, "I don't know" I advised them they were in violation of the HIPPA laws because at no time did I authorize them to obtain such records nor did I hand over such

As you can see there are countless issues that I am seeking representation on. Since our group is non-unionized Cablevision's HR group for TSG makes no qualms about harassing and intimidating staff. The issues have led to serious anxiety for me, and I am tired of being made to feel afraid that I have done something wrong when I have not.

Please review my request for representation and contact me if you believe you can help me. I can be reached at (917) 328-3442.

Thank you for your attention.

Sincerely yours,  
Dorothea Perry



----- Forwarded Message -----

**From:** Dorothea Perry <dorothea.perry@verizon.net>  
**To:** Karen Terlizzi <KTERLIZZ@cablevision.com>  
**Sent:** Mon, June 6, 2011 10:22:58 AM  
**Subject:** Re: Fwd: Re: Your accommodation

Thanks for explanation, bl left an application for worker's compensation not a medical report. I never authorized Cablevision to review or be in possession of my medical files. And it doesn't make sense that if you are aware of the HIPPA laws, in your position, that you would maintain such files whether it's in a leave file or a personnel file. Any file maintained by Cablevision with my medical records that I did not authorize is illegal. Furthermore, it seems that you are making personnel decisions based on said file in addition to the information provided to you by Genex. If you were eager to return the document you would have mailed it to me when I questioned why your possession of this file.

Dorothea Perry  
Veritas et Aequitas

---

**From:** Karen Terlizzi <KTERLIZZ@cablevision.com>  
**To:** Dorothea Perry <dorothea.perry@verizon.net>  
**Sent:** Mon, June 6, 2011 9:28:27 AM  
**Subject:** Re: Fwd: Re: Your accommodation

I have asked to talk with you as its easier to provide the info you are questioning and allow for follow up questions during the conversation rather than rely on email back and forth. The medical document I have, which I have offered to return to you, is not in your personnel file, but in your leave file, two very separate folders, stored and locked in separate areas. After much thought about it, I believe it was something you left behind here at work, you realized what you did, called our RM desk to see if it could be located and I put a message out to sups that if something of yours of a personal nature was located, that it should be returned to me. It was left under my door in an unmarked envelope. Thought I sent a message to you that the info was found, but this was so long ago that I wouldn't have that info. Please advise if you would like it returned to you.

We'll let you know what GENEX's update is once we get it. Thanks for the heads up.  
Karen

>>> Dorothea Perry <dorothea.perry@verizon.net> 6/3/2011 11:47 PM >>>

Thank you for the information Karen. I do not believe there is anything I should meet with you about. I am sending Genex 30 pages of professional

Dorothea Perry  
Veritas et Aequitas

---

**From:** Karen Terlizzi <KTERLIZZ@cablevision.com>  
**To:** "<Dorothea Perry" <dorothea.perry@verizon.net>  
**Sent:** Tue, May 17, 2011 4:28:54 PM  
**Subject:** Re: Fwd: Re: Your accommodation

I understand and appreciate your frustrations with the accommodation process, however, we are committed to offering accommodation within the parameters of the medical professional's opinion given the medical diagnosis, treatments, testing, timely progress updates, etc. provided to GENEX (Cablevision's Independent Medical Advisor). Frequently we have to ask for additional information or clarification so that GENEX can evaluate the case and advise us as to how we can reasonably accommodate a request. Our materials are self explicit (see letters and Policy statement attached) as to what information should be provided to GENEX. You have the contact information for GENEX and you should feel free to talk with Sabine Charles, one of our dedicated representatives to help you and your providers understand what they are looking for. You may want to talk with her to update your HIPAA information (if necessary).

We have advised you that no current healthcare provider has offered the information that arriving late daily is required. GENEX's review of information provided to them in December 2010 and again in May 2011 does not provide that detail. It is our expectation that you have a conversation with your medical team advising them of your daily accommodation requirement and ask them to provide that update to GENEX. I understand it is tough to predict. We are not looking to deny you the time, but simply confirm that time you have used and will need going forward is appropriate and to be expected given your condition and prognosis.

In response to your questions below, Yes, GENEX is obligated to keep your records confidential. GENEX does not forward medical records to Cablevision. We do have in file a copy of a completed Health Care Provider Medical Statement dated 12-21-10 from Dr. Eugene Liu, 62 E 88th Street, New York, NY. It is unclear to me how this document was received.

Please feel free to call me if I can help further.

Karen B. Terlizzi  
Manager, Human Resources  
Cable & Communications  
(516) 803-0699  
[kterlizz@cablevision.com](mailto:kterlizz@cablevision.com)

>>> Dorothea Perry <dorothea.perry@verizon.net> 5/17/2011 2:30 PM >>>

I have an appointment with the EEOC to have them help me understand your requests. As I already have an accomodation, I believe you have

Dear Dorothea:

This letter is to inform you that as of December 30, 2010, the following accommodation has been approved: intermittent time off. This accommodation has been approved for the duration of 6 months, through June 26, 2011. When calling into SPOC, please use Accommodation to report your absence.

If you request or will require accommodation beyond the duration set forth above, you and/or your health care provider must provide GENEX services Inc. with the specific duration of your accommodation request, by June 26, 2011, in order for us to determine whether the above accommodation can reasonably be extended.

If you have accrued sick time available, you must exhaust such previously accrued sick time concurrently and in conjunction with any period(s) of absence taken pursuant to the above accommodation. If you have other paid time available to you (i.e., accrued unused vacation or personal days), please advise your supervisor/manager if you would like to substitute all or part of your unpaid absence(s) with paid time during your approved accommodation period.

Please feel free to contact me at (516) 803-0690 or Karen Terlizzi at (516) 803-0699 if you would like to discuss this matter further.

Sincerely,

Scott Rosinger

Disability Analyst, Human Resources

October 26, 2010

Cablevision Health Care Provider Medical Statement - Confidential

4. Please state if any mitigating measures, such as medication, also limit Ms. Perry's ability to perform major life activities. If yes, please explain.

5. As explained above, Ms. Perry has requested an Intermittent leave of absence. Please state the duration, if any, of Ms. Perry's need for a leave of absence from work and why that leave will enable her to return to perform the essential functions of her job with or without a reasonable accommodation.

6. Please state any other alternative accommodations that could be made to accommodate Ms. Perry's condition in lieu of a leave of absence, or requested accommodation so that she could otherwise perform the essential functions of her job.

-----  
The information transmitted in this email and any of its attachments is intended only for the person or entity to which it is addressed and may contain information concerning Cablevision and/or its affiliates and subsidiaries that is proprietary, privileged, confidential and/or subject to copyright. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient(s) is prohibited and may be unlawful. If you received this in error, please contact the sender immediately and delete and destroy the communication and all of the attachments you have received and all copies thereof.

----- Forwarded Message -----

**From:** Dorothea Perry <dorothea.perry@verizon.net>  
**To:** Scott Rosinger <SROSINGE@cablevision.com>  
**Sent:** Tue, October 26, 2010 11:18:25 AM  
**Subject:** Re: Genex contact info

Thank you. I have a procedure scheduled tomorrow and planned getting additional information from them to send out. It is just that there are so many doctors scattered around the boroughs it is hard to get to the all and get the needed information for the purpose of reporting the information. Some doctors also want to charge for copies of documentation.

-----  
**From:** Scott Rosinger <SROSINGE@cablevision.com>  
**To:** Dorothea Perry <DPERRY1@cablevision.com>; Dorothea Perry <dorothea.perry@verizon.net>  
**Sent:** Tue, October 26, 2010 11:00:28 AM  
**Subject:** Re: Genex contact info

Dorothea,

We will approve your intermittent leave for another 60 days since your doctor has not provided Genex with a duration of time that you will need time off. An approval letter is going out to you advising you of the approval and what you will need to do if leave is still needed after the 60 day, 12/26/10.

Scott

Scott Rosinger  
Disability Analyst, Human Resources  
Cablevision Systems Corporation  
(516) 803-0690  
[srosinge@cablevision.com](mailto:srosinge@cablevision.com)

>>> Dorothea Perry <dorothea.perry@verizon.net> 10/22/2010 7:25 PM >>>

>To: dorothea.perry@verizon.net  
>Sent: Fri, September 10, 2010 10:32:57 AM  
>Subject: Genex contact info  
>  
>Per our discussion:  
>  
>Sabine Charles at Genex:  
>631-851-9000 ext.2227  
>Fax 631-582-5282  
>Fax 1-888-439-6808  
>  
>  
>Scott Rosinger  
>Disability Analyst, Human Resources  
>Cablevision Systems Corporation  
>(516) 803-0690  
>srosinge@cablevision.com

----- Forwarded Message -----

**From:** Dorothea Perry <dorothea.perry@verizon.net>  
**To:** Karen Terlizzi <KTERLIZZ@cablevision.com>  
**Sent:** Mon, June 6, 2011 10:22:58 AM  
**Subject:** Re: Fwd: Re: Your accommodation

Thanks for explanation, bl left an application for worker's compensation not a medical report. I never authorized Cablevision to review or be in possession of my medical files. And it doesn't make sense that if you are aware of the HIPPA laws, in your position, that you would maintain such files whether it's in a leave file or a personnel file. Any file maintained by Cablevision with my medical records that I did not authorize is illegal. Furthermore, it seems that you are making personnel decisions based on said file in addition to the information provided to you by Genex. If you were eager to return the document you would have mailed it to me when I questioned why your possession of this file.

Dorothea Perry  
Veritas et Aequitas

---

**From:** Karen Terlizzi <KTERLIZZ@cablevision.com>  
**To:** Dorothea Perry <dorothea.perry@verizon.net>  
**Sent:** Mon, June 6, 2011 9:28:27 AM  
**Subject:** Re: Fwd: Re: Your accommodation

I have asked to talk with you as its easier to provide the info you are questioning and allow for follow up questions during the conversation rather than rely on email back and forth. The medical document I have, which I have offered to return to you, is not in your personnel file, but in your leave file, two very separate folders, stored and locked in separate areas. After much thought about it, I believe it was something you left behind here at work, you realized what you did, called our RM desk to see if it could be located and I put a message out to sups that if something of yours of a personal nature was located, that it should be returned to me. It was left under my door in an unmarked envelope. Thought I sent a message to you that the info was found, but this was so long ago that I wouldn't have that info. Please advise if you would like it returned to you.

We'll let you know what GENEX's update is once we get it. Thanks for the heads up.  
Karen

>>> Dorothea Perry <dorothea.perry@verizon.net> 6/3/2011 11:47 PM >>>

Thank you for the information Karen. I do not believe there is anything I should meet with you about. I am sending Genex 30 pages of professional



---

**From:** Karen Terlizzi <KTERLIZZ@cablevision.com>  
**To:** Dorothea Perry <dorothea.perry@verizon.net>  
**Sent:** Thu, May 19, 2011 1:15:35 PM  
**Subject:** Re: Fwd: Re: Your accommodation

Tried to reach you at about 11:30 am to see if we could talk through your questions and concerns. Your home number on file just rang and rang, and I called your cell (?) 917-328-3442 and left a message for you. I am leaving the office now for the remainder of the day and will be back in tomorrow morning. My Friday is wide open if you would like to suggest a time and best number to reach you at we can talk then.

Karen

>>> Dorothea Perry <dorothea.perry@verizon.net> 5/19/2011 10:59 AM >>>

How does Cablevision decide who has to submit documentation with office visits, notes, treatments, testing, timely progress updates, etc. It is my understanding that not everyone at Cablevision who has FMLA or an accomodation has had to provide such detailed reports. In many cases the affirmations have been enough to qualify them for FMLA or an accomodation. Affirmations from doctor's are generally enough to be submitted to a court of law, why not Cablevision?

Dorothea Perry  
Veritas et Aequitas

---

**From:** Dorothea Perry <dorothea.perry@verizon.net>  
**To:** Karen Terlizzi <KTERLIZZ@cablevision.com>  
**Sent:** Wed, May 18, 2011 12:23:45 AM  
**Subject:** Re: Fwd: Re: Your accommodation

Karen: I believe you know that being in possession of my PHI is in violation of the HIPAA laws, as I never authorized Cablevision to have access to said files. The HIPAA laws are clear. My release was to Genex. I am confused as to how such information came to be in your possession. My leave file is also accessible by other members of the Human Resources group, thus on display to other employees of Cablevision. I have no recourse at this time but to file a complaint to the U.S. Department of Health & Human Services. I feel that Cablevision has violated my right to privacy being in possession of my medical



Dorothea Perry  
Veritas et Aequitas

---

**From:** Karen Terlizzi <KTERLIZZ@cablevision.com>  
**To:** "<Dorothea Perry" <dorothea.perry@verizon.net>  
**Sent:** Tue, May 17, 2011 4:28:54 PM  
**Subject:** Re: Fwd: Re: Your accommodation

I understand and appreciate your frustrations with the accommodation process, however, we are committed to offering accommodation within the parameters of the medical professional's opinion given the medical diagnosis, treatments, testing, timely progress updates, etc. provided to GENEX (Cablevision's Independent Medical Advisor). Frequently we have to ask for additional information or clarification so that GENEX can evaluate the case and advise us as to how we can reasonably accommodate a request. Our materials are self explicit (see letters and Policy statement attached) as to what information should be provided to GENEX. You have the contact information for GENEX and you should feel free to talk with Sabine Charles, one of our dedicated representatives to help you and your providers understand what they are looking for. You may want to talk with her to update your HIPAA information (if necessary).

We have advised you that no current healthcare provider has offered the information that arriving late daily is required. GENEX's review of information provided to them in December 2010 and again in May 2011 does not provide that detail. It is our expectation that you have a conversation with your medical team advising them of your daily accommodation requirement and ask them to provide that update to GENEX. I understand it is tough to predict. We are not looking to deny you the time, but simply confirm that time you have used and will need going forward is appropriate and to be expected given your condition and prognosis.

In response to your questions below, Yes, GENEX is obligated to keep your records confidential. GENEX does not forward medical records to Cablevision. We do have in file a copy of a completed Health Care Provider Medical Statement dated 12-21-10 from Dr. Eugene Liu, 62 E 88th Street, New York, NY. It is unclear to me how this document was received.

Please feel free to call me if I can help further.

Karen B. Terlizzi  
Manager, Human Resources  
Cable & Communications  
(516) 803-0699  
[kterlizz@cablevision.com](mailto:kterlizz@cablevision.com)

>>> Dorothea Perry <dorothea.perry@verizon.net> 5/17/2011 2:30 PM >>>

I have an appointment with the EEOC to have them help me understand your requests. As I already have an accomodation, I believe you have

Who will be receiving the documentation? Genix?

>>> Karen Terlizzi 4/27/2011 9:22 AM >>>

We'll await the update from your doctors. Any idea when that will be?

>>> Dorothea Perry 4/26/2011 8:37 PM >>>

I offered three doctor's write ups. One doctor was contacted as to the exact nature of the injury. Each of the three are in agreement that medication is necessary, and there is an injury that is validated by the Worker's Comp Board. I'm not sure what you are suggesting but I do have recurring appointments to meet with these doctors and I am giving them the accommodation form once again. I take issue with being advised by Human Resources as to when to medicate as they are not, to my knowledge, in a position to give medical advice. The injuries are stressful enough, the added stress of being queried about injuries that are already established merely exacerbates the anxiety.

After meeting with the last of the three doctor's I will submit the forms in one package.

>>> Karen Terlizzi 4/21/2011 3:38 PM >>>

We offered you accommodation and find that your actual usage is more frequent than the need described by your physicians. I have attached your etime for the last few months. At this time we are asking for an update on your case and your current accommodation needs.  
thanks

>>> Dorothea Perry 4/20/2011 10:06 PM >>>

I appreciate the medical advice that you are giving me, but at this time I think I will adhere to the advice of the three or four physicians I am seeing who are experts in fields of neurology, pain management, general medicine and chiropractic care. If the daily accommodation usage is not adding up to a lot of time it seems that it is not creating an undo hardship. The disability is well established. Is there a problem?

>>> Karen Terlizzi 4/20/2011 8:24 AM >>>

Your daily accommodation use does not collectively add up to a lot of time, most late arrivals/accommodation are 1 hr or less, and perhaps meds can be taken at earlier times? You can ask your doctor to provide an update to the info already given. We will ask for recert again in late June.  
thanks!

>>> Dorothea Perry 4/19/2011 9:25 PM >>>

Okay, it appears to be premature but I am willing to get it done. The doctors work independent of each other, as such their evaluations, prognosis and prescriptions are independent. They are all equally important in my treatment path.

>>> Scott Rosinger 4/19/2011 8:03 AM >>>

Dorothea,

Dear Dorothea:

This letter is to inform you that as of December 30, 2010, the following accommodation has been approved: intermittent time off. This accommodation has been approved for the duration of 6 months, through June 26, 2011. When calling into SPOC, please use Accommodation to report your absence.

If you request or will require accommodation beyond the duration set forth above, you and/or your health care provider must provide GENEX services Inc. with the specific duration of your accommodation request, by June 26, 2011, in order for us to determine whether the above accommodation can reasonably be extended.

If you have accrued sick time available, you must exhaust such previously accrued sick time concurrently and in conjunction with any period(s) of absence taken pursuant to the above accommodation. If you have other paid time available to you (i.e., accrued unused vacation or personal days), please advise your supervisor/manager if you would like to substitute all or part of your unpaid absence(s) with paid time during your approved accommodation period.

Please feel free to contact me at (516) 803-0690 or Karen Terlizzi at (516) 803-0699 if you would like to discuss this matter further.

Sincerely,

Scott Rosinger

Disability Analyst, Human Resources

October 26, 2010

JA0785

September 15, 2010

**Regular Mail**

Dorothea Perry  
74 Tapscott Street  
Brooklyn, New York 11212

Re: Approval of Accommodation Request

Dear Dorothea:

This letter is to inform you that as of September 15, 2010, the following accommodation has been approved: intermittent time off. This accommodation has been approved for the duration of 6 weeks from September 10<sup>th</sup> per your doctor and your reevaluation at that time. When calling into SPOC, please use Accommodation to report your absence.

If you request or will require accommodation beyond the duration set forth above, you and/or your health care provider must provide GENEX services Inc. with the specific duration of your accommodation request, by October 22, 2010, in order for us to determine whether the above accommodation can reasonably be extended.

If you have accrued sick time available, you must exhaust such previously accrued sick time concurrently and in conjunction with any period(s) of absence taken pursuant to the above accommodation. If you have other paid time available to you (i.e., accrued unused vacation or personal days), please advise your supervisor/manager if you would like to substitute all or part of your unpaid absence(s) with paid time during your approved accommodation period.

Please feel free to contact me at (516) 803-0690 or Karen Terlizzi at (516) 803-0699 if you would like to discuss this matter further.

Sincerely,

Scott Rosinger Disability Analyst, Human Resources.

Cablevision Health Care Provider Medical Statement - Confidential

4. Please state if any mitigating measures, such as medication, also limit Ms. Perry's ability to perform major life activities. If yes, please explain.

5. As explained above, Ms. Perry has requested an **Intermittent** leave of absence. Please state the duration, if any, of Ms. Perry's need for a leave of absence from work and why that leave will enable her to return to perform the essential functions of her job with or without a reasonable accommodation.

6. Please state any other alternative accommodations that could be made to accommodate Ms. Perry's condition in lieu of a leave of absence, or requested accommodation so that she could otherwise perform the essential functions of her job.

----- Forwarded Message -----

**From:** Scott Rosinger <SROSINGE@cablevision.com>  
**To:** Dorothea Perry <DPERRY1@cablevision.com>; dorothea.perry@verizon.net  
**Sent:** Thu, December 30, 2010 2:46:36 PM  
**Subject:** Accommodation

Dorothea,

Which doctor should GENEX talk with to try to clarify their questions? You had 3 different doctors provide medical information to them. It would be best if one doctor could give his opinion on your medical issue to GENEX's satisfaction. I would also suggest that your doctor could give a time frame of duration, 3 months, 6 months for example, we wouldn't have to go through this every few weeks. Thank you and have a happy new year!

Scott

Scott Rosinger  
Disability Analyst, Human Resources  
Cablevision Systems Corporation  
(516) 803-0690  
[srosinge@cablevision.com](mailto:srosinge@cablevision.com)

-----  
The information transmitted in this email and any of its attachments is intended only for the person or entity to which it is addressed and may contain information concerning Cablevision and/or its affiliates and subsidiaries that is proprietary, privileged, confidential and/or subject to copyright. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient(s) is prohibited and may be unlawful. If you received this in error, please contact the sender immediately and delete and destroy the communication and all of the attachments you have received and all copies thereof.  
-----

----- Forwarded Message -----

**From:** Scott Rosinger <SROSINGE@cablevision.com>  
**To:** Dorothea Perry <dorothea.perry@verizon.net>  
**Cc:** Scott Rosinger <SROSINGE@cablevision.com>  
**Sent:** Fri, September 10, 2010 11:08:05 AM  
**Subject:** Re: Genex contact info

Dorothea,

Sabine at Genex has just confirmed receipt of your documents that was sent to them by you. I will be sending you another letter advising the leave is reopened but still denied because of insufficient medical documentation. Genex received your HIPPA form, healthcare provider statement from Dr. Dvorkina but only one office visit note. Genex will require additional

-----  
The information transmitted in this email and any of its attachments is intended only for the person or entity to which it is addressed and may contain information concerning Cablevision and/or its affiliates and subsidiaries that is proprietary, privileged, confidential and/or subject to copyright. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient(s) is prohibited and may be unlawful. If you received this in error, please contact the sender immediately and delete and destroy the communication and all of the attachments you have received and all copies thereof.

----- Forwarded Message -----

**From:** Dorothea Perry <dorothea.perry@verizon.net>  
**To:** Scott Rosinger <SROSINGE@cablevision.com>  
**Sent:** Tue, October 26, 2010 11:18:25 AM  
**Subject:** Re: Genex contact info

Thank you. I have a procedure scheduled tomorrow and planned getting additional information from them to send out. It is just that there are so many doctors scattered around the boroughs it is hard to get to the all and get the needed information for the purpose of reporting the information. Some doctors also want to charge for copies of documentation.

---

**From:** Scott Rosinger <SROSINGE@cablevision.com>  
**To:** Dorothea Perry <DPERRY1@cablevision.com>; Dorothea Perry <dorothea.perry@verizon.net>  
**Sent:** Tue, October 26, 2010 11:00:28 AM  
**Subject:** Re: Genex contact info

Dorothea,

We will approve your intermittent leave for another 60 days since your doctor has not provided Genex with a duration of time that you will need time off. An approval letter is going out to you advising you of the approval and what you will need to do if leave is still needed after the 60 day, 12/26/10.

Scott

Scott Rosinger  
Disability Analyst, Human Resources  
Cablevision Systems Corporation  
(516) 803-0690  
[srosinge@cablevision.com](mailto:srosinge@cablevision.com)

>>> Dorothea Perry <dorothea.perry@verizon.net> 10/22/2010 7:25 PM >>>

send the form to me via PDF so that I return it to you promptly.

>

>Thank you.

>

>From: Scott Rosinger <SROSINGE@cablevision.com>

>To: Dorothea Perry <dorothea.perry@verizon.net>

>Sent: Wed, September 15, 2010 1:44:25 PM

>Subject: Re: Genex contact info

>

>Dorothea,

>

>You are approved for the accommodation for intermittent time off. Please sign out or call out using accommodation.

>

>Scott

>

>Scott Rosinger

>Disability Analyst, Human Resources

>Cablevision Systems Corporation

>(516) 803-0690

>srosinge@cablevision.com

>

>

>

>>>> Dorothea Perry <dorothea.perry@verizon.net> 9/10/2010 4:25 PM >>>>

>Please confirm with Sabine Charles that the documents have been received.

>

>From: Scott Rosinger <SROSINGE@cablevision.com>

>To: Dorothea Perry <dorothea.perry@verizon.net>

>Sent: Fri, September 10, 2010 11:26:21 AM

>Subject: Re: Genex contact info

>

>Please contact Sabine Charles at Genex to see exactly what is needed from your doctor.

>

>Scott Rosinger

>Disability Analyst, Human Resources

>Cablevision Systems Corporation

>(516) 803-0690

>srosinge@cablevision.com

>

>

>

>>>> Dorothea Perry <dorothea.perry@verizon.net> 9/10/2010 11:22 AM >>>>

>How many office visits are they asking for? Worker's compensation only requires a visit every 5/6 weeks. How many doctor's affirmations do you/they need? Please advise. If you just need to know how many visits I've already had I can have my therapists and doctors indicate that. My



>To: dorothea.perry@verizon.net  
>Sent: Fri, September 10, 2010 10:32:57 AM  
>Subject: Genex contact info  
>  
>Per our discussion:  
>  
>Sabine Charles at Genex:  
>631-851-9000 ext.2227  
>Fax 631-582-5282  
>Fax 1-888-439-6808  
>  
>  
>Scott Rosinger  
>Disability Analyst, Human Resources  
>Cablevision Systems Corporation  
>(516) 803-0690  
>srosinge@cablevision.com



DEPARTMENT OF HEALTH & HUMAN SERVICES

Voice - (212) 264-3313, (800) 368-1019  
TDD - (212) 264-2355, (800) 537-7697  
(FAX) - (212) 264-3039  
<http://www.hhs.gov/ocr/>

OFFICE OF THE SECRETARY

Office for Civil Rights, Region II  
Jacob Jayits Federal Building  
26 Federal Plaza, Suite 3312  
New York, NY 10278

May 25, 2011

Ms. Dorothea Perry  
74 Tapscott Street  
Brooklyn, NY 11212

Our Transaction numbers: 11-127860 (Genex), 11-127857 (Cable Vision of New York)

Dear Ms. Perry:

Thank you for your correspondence received on May 24, 2011 by the Department of Health and Human Services, Office for Civil Rights (OCR).

We are in the process of reviewing your correspondence to decide whether OCR has authority and is able to take action with respect to the matters you have raised.

When contacting this office, please remember to include the transaction number that we have given your file. That number is located in the upper left-hand corner of this letter.

If you have any questions, please contact us at the address and/or telephone numbers listed above.

Sincerely,

*Linda C. Colón*

Linda C. Colón  
Acting Regional Manager  
Office for Civil Rights  
Region II

# **Exhibit A11**

## **R-15**



Customer Service  
(All Representatives)

# Performance Appraisal

## Employee and Organization Information:

Dorothea Perry  
Employee's Name

Valmiki Mohip  
Appraiser's Name

Rep II – Tech Support  
Position Title

14  
Grade

Jericho  
Employee's Location

07/01/11  
Current Appraisal Date

TSG  
Department

07/01/10  
Previous Appraisal Date

Cable & Communications  
Business Group

07/01/12  
Next Appraisal Date

Exh. No: 215 Received ☒ Rejected ☐  
Case No.: CSC HOLDINGS  
Case Name: 9/15/15 Rep. Ron  
No. Pgs: 2

## Signatures:

Appraiser: Valmiki Mohip Date: 7/6/11

Appraiser's Supervisor: [Signature] Date: 6/27/11

Employee\*: Dorothea Perry Date: 7/6/11

\*The signature does not necessarily represent the employee's agreement with the appraisal. It indicates that the employee has read and received a copy of the appraisal.

Date reviewed with employee: \_\_\_\_\_

**SECTION A – Evaluate Optimum Service and Operational Compliance using the scale below:**

<b>1</b> Did Not Achieve Expected Performance	<b>2</b> Partially Achieved Expected Performance	<b>3</b> Achieved Expected Performance	<b>4</b> Exceeded Expected Performance	<b>5</b> Far Exceeded Expected Performance
--	---	--	--	---

Calculate score: In Target/Responsibility Results area below multiply each rating by the listed Target/Responsibility weight and Category weight to determine score. (e.g. A x B x C = Score)

Target / Responsibility Results	(A) Rating	(B) Target Weight	(C) Category Weight	A x B x C = Score
<b>Optimum Service – 40% of Performance Rating</b>				
Keeping your promise Customer Survey Rating	2.8	25%	40%	0.28
Efficient Delivery of Support Average transaction time	2.4	25%	40%	0.24
Consistent and reliable service Knowledge Check Average Score	4.3	25%	40%	0.43
Exceptional Customer Experience Average BPA (soft skills) score	3.1	25%	40%	0.31
<b>Total Optimum Service Score –</b>				<b>1.26</b>
Sum Optimum Service Scores – Keeping Promises, Efficiency, Consistency & Exceptional Service				
<b>Operational Compliance – 40% of Performance Rating</b>				
Availability % of Availability	4.8	40%	40%	0.77
Transactional Integrity Quality of Service Delivery Summary Score	3.1	50%	40%	0.62
Other Call Center defined items of importance i.e., adjustments, remedy compliance & 1x charges	3.0	10%	40%	0.12
<b>Total Operational Compliance Score</b>				<b>1.51</b>
Sum Availability, Transactional Integrity and Other Scores				

### SECTION B – Key Effectiveness Areas and Behaviors

Using the scale below, rate performance in each key effectiveness area by placing the appropriate number in the rating box. Use the comment section available in area to provide additional information. If the rating is below achieved expected performance, examples must be provided in the comments section.

1	2	3	4	5
Did Not Achieve Expected Performance	Partially Achieved Expected Performance	Achieved Expected Performance	Exceeded Expected Performance	Far Exceeded Expected Performance

Individual Effectiveness Behaviors	Rating
<b>1. Job Knowledge</b> <ul style="list-style-type: none"> <li>• Possess and applies job knowledge and technical skills required to perform job functions</li> <li>• Takes necessary steps to increase job knowledge and keeps abreast of new developments</li> </ul> <b>Comments:</b> Dorothea has scored well for the year on her knowledge checks	3
<b>2. Communicates Effectively</b> <ul style="list-style-type: none"> <li>• Listens well and understands the needs of customers and others</li> <li>• Expresses ideas clearly and directly</li> <li>• Communicates information in an understandable way</li> <li>• Responds effectively to questions</li> </ul> <b>Comments:</b> Dorothea communicates well and expresses ideas clearly. She creates good rapport with customers.	3
<b>3. Plans Effectively</b> <ul style="list-style-type: none"> <li>• Prioritizes work in support of department goals</li> <li>• Anticipates problems and takes corrective action where possible</li> <li>• Manages time effectively, daily and long term</li> <li>• Is reliable and dependable with regard to schedule adherence</li> </ul> <b>Comments:</b> Dorothea has been placed on a verbal warning for TAHT this review year.	2
<b>4. Makes Results Happen</b> <ul style="list-style-type: none"> <li>• Works efficiently while promoting customer (internal and external) satisfaction</li> <li>• Understands own responsibilities and takes action to produce results</li> <li>• Makes sound, timely decisions that lead to results</li> <li>• Takes personal responsibility for achieving results</li> </ul> <b>Comments:</b> Dorothea was placed on a verbal for performance (slow speed doc.) for this review year. Dorothea must also work on her survey transfers.	2
<b>5. Develops Self</b> <ul style="list-style-type: none"> <li>• Knows own strengths and weaknesses</li> <li>• Learns from experience</li> <li>• Actively seeks feedback for improvement</li> </ul> <b>Comments:</b> Dorothea is responsive to feedback to make changes in work behavior.	3
<b>Average Rating of Effectiveness Areas 1- 5</b>	2.6

**SECTION B – Continued**

Contribution Toward Achieving Team Goals --		Rating
<b>6. Develops Relationships</b> <ul style="list-style-type: none"> <li>Builds positive relationships with customers and peers</li> <li>Maintains productive work relationships</li> <li>Acknowledges the contributions of others</li> <li>Is an effective team member</li> </ul> <b>Comments:</b>		3
<b>7. Demonstrates Resilience and Flexibility</b> <ul style="list-style-type: none"> <li>Deals effectively with multiple demands and shifting priorities</li> <li>Has a positive can-do attitude when faced with setbacks or criticism</li> <li>Is receptive to new ideas</li> <li>Adapts effectively to organization / department changes</li> </ul> <b>Comments:</b> Dorothea does very well at adapting and accepting changes within the department.		3
<b>8. Helps Others</b> <ul style="list-style-type: none"> <li>Helps others learn</li> <li>Offers feedback to improve others' performance</li> <li>Provides assistance to colleagues as needed</li> <li>Willingly shares job knowledge with others</li> </ul> <b>Comments:</b>		3
<b>9. Supports Company Values and Policies</b> <ul style="list-style-type: none"> <li>Practices the company's values</li> <li>Consistently follows the company's policies</li> <li>Practices the code of business conduct and ethics</li> <li>Acts honestly and ethically on the job</li> <li>Treats others in a fair and respectful manner</li> </ul> <b>Comments:</b> Dorothea has had two performance Verbal warnings within this review year.		2
Average Rating of Effectiveness Areas 6- 9		2.75

Overall Key Effectiveness Areas and Behaviors Rating – 20% of Performance Rating				
	(A) Rating	(B) Target Weight	(C) Category Weight	A x B x C = Score
Individual Effectiveness Behaviors Average Rating of Areas 1-5	2.6	50%	20%	.26
Contribution toward achieving team goal Average Rating of Areas 6-9	2.75	50%	20%	.28
Total Effectiveness Rating Sum Individual Effectiveness and Contribution Toward Achieving Team Goal Scores				.54



**SECTION C – Performance Summary:** Copy the numerical Scores from Sections A and B to the appropriate boxes below. Sum these scores to determine the Total Score. Provide a Performance Rating by placing an "X" in the appropriate Performance Rating box below.

Total Optimum Service Score	1.26
Total Operational Compliance Score	1.51
Total Effectiveness Score	+ .54
<b>Total Score</b>	<b>3.31</b>

<b>Performance Summary:</b>			<b>X</b>		
	1.0 – 1.9	2.0 – 2.7	2.8 – 3.6	3.7 – 4.5	4.6 – 5.0
	<b>1</b> Did Not Achieve Expected Performance	<b>2</b> Partially Achieved Expected Performance	<b>3</b> Achieved Expected Performance	<b>4</b> Exceeded Expected Performance	<b>5</b> Far Exceeded Expected Performance

**SECTION D – Overall Performance Rating:** Provide a narrative of any exceptional performance factors (strengths and/or development areas) that have significantly influenced the employee's overall performance. Provide an Overall Performance Rating by placing an "X" in the appropriate Overall Performance Rating box below.

**Additional comments:**

The past years performance for Dorothea has shown improvement in SER, QoSD and THAT Dorothea still has to continue to improve in these areas. She has also improved on her Knowledge check. Dorothea's Availability has been almost stellar. She has taken it up on herself to try to meet in all areas and improved because of this. She has made an ardent effort to improve. Dorothea displays a positive and professional image to the customer at all times; maintains composure in difficult situations and irate calls. Dorothea carries out all duties and tasks without sacrificing accuracy or quality. She is always available for feedback and uses that feedback in a positive manner.

Over the past year she has had two performance verbal warnings for slow speed documentation and THAT Over the past few months they have improved.

## **CERTIFICATE OF SERVICE**

I hereby certify that on June 10, 2016, I electronically filed the foregoing Joint Appendix, Volumes I, II, III, IV, and V with the Clerk of the Court for the United States Court of Appeals for the Second Circuit by using the CM/ECF system. All participants in the case are registered CM/ECF users and will be served by the appellate CM/ECF system.

Respectfully submitted,

s/ Jamison F. Grella  
Attorney

Dated at Washington, D.C.  
This 10<sup>th</sup> day of June 2016